STATUTORY INSTRUMENTS

1962 No. 780 (S. 28)

NURSES AND MIDWIVES

The Enrolled Nurses (Scotland) Rules, 1961, Approval Instrument, 1962

Made - - - -	10*th April*, 1962
Laid before Parliament	18*th April*, 1962
Coming into Operation	19*th April*, 1962

Whereas the General Nursing Council for Scotland, in exercise of the powers conferred on them by section 6 of and the Second Schedule to the Nurses (Scotland) Act, 1951(a), as amended by the Nurses (Amendment) Act, 1961(b), on 30th November, 1961, made the Enrolled Nurses (Scotland) Rules, 1961, and have submitted the said Rules to the Secretary of State for approval;

Now, therefore, in exercise of the powers conferred on me by section 33 of the Nurses (Scotland) Act, 1951, and of all other powers enabling me in that behalf, I hereby approve the said Rules in the form set out in the Schedule hereto.

This Instrument may be cited as the Enrolled Nurses (Scotland) Rules, 1961, Approval Instrument, 1962, and shall come into operation on the 19th day of April, 1962.

Dated this 10th day of April, 1962.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

SCHEDULE

RULES FRAMED BY GENERAL NURSING COUNCIL FOR SCOTLAND

RULES MADE UNDER THE NURSES (SCOTLAND) ACTS, 1951 AND 1961

PART I

General

1. These Rules may be cited as the Enrolled Nurses (Scotland) Rules, 1961.

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 Nurses (Amendment) Act, 1961.

(a) 14 & 15 Geo. 6. c. 55. (b) 9 & 10 Eliz. 2. c. 14.

"the Council" means the General Nursing Council for Scotland established under section 1 of the Act.

"the Roll" means the Roll of Nurses maintained by the Council under section 3 (1) of the Act.

"the Registrar" means the person appointed for the time being to act as Registrar of the Council under section 14 of the Act, and includes any person duly authorised to act and acting on her behalf.

"the Committee" means the Enrolled Nurses Committee established by the Act.

"the Register" means the Register of Nurses maintained by the Council under section 2 of the Act.

"Enrolled Nurse" means a nurse whose name is for the time being entered upon the Roll.

"Former Assistant Nurse" means any person who obtained adequate knowledge and experience in the nursing of the sick and/or midwifery prior to 5th August, 1943.

"Former Assistant Nurse with Intermediate Qualifications" means any person who obtained adequate knowledge and experience in the nursing of the sick between 5th August, 1943, and 1st January, 1949, or, in the case of a State Certified Midwife. who obtained adequate knowledge and experience in the nursing of the sick and/or midwifery between 5th August, 1943, and 1st January, 1947.

"Student Nurse" means a person who is undergoing training for admission to any Part of the Register.

"Pupil Nurse" means a person who is undergoing training for admission to the Roll.

"Preliminary Training School" means the department of a training school or group of training schools in which Pupil Nurses receive preliminary instruction in the theory and practice of nursing prior to the commencement of their training in the Wards.

"the examination" means the examination held by the Council in pursuance of Rule 26 of these Rules.

"Complete School" and "Component School" have the respective meanings assigned to them by Rule 22 of these Rules.

"Mental Hospital" means a hospital wholly or mainly used for the treatment of persons suffering from mental illness, or a unit used for the treatment of such persons within a general hospital.

"Mental Deficiency Hospital" means a hospital wholly or mainly used for the treatment of persons suffering from mental deficiency, or a unit used for the treatment of such persons within a hospital mainly used for other purposes.

(2) The Interpretation Act, 1889(a), applies to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament, except that in these Rules, unless the context otherwise requires, the feminine gender includes the masculine.

3. The Rules specified in the First Schedule to these Rules are hereby revoked:

Provided that, without prejudice to the general application of section 38 of the Interpretation Act, 1889, with regard to the effect of repeals, in so far as any agreement, order, requirement, designation, application, request or representation made, or any resolution passed, or any notice, direction, consent, sanction, approval, exemption or certificate given under any Rule revoked by these Rules, or any conditions imposed or any proceedings instituted, or any other thing done, under any such Rules, could have been made, passed, given, imposed, instituted or done under or by a corresponding provision of these

(a) 52 & 53 Vict. c. 63.

Rules it shall not be invalidated by these Rules but shall have effect as if it had been made, passed, given, imposed, instituted or done under or by that provision.

PART II

Formation, maintenance and publication of the Roll

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

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

5. The Roll shall be formed of a list of the names of all persons who have paid the application fee determined by the Council, with the approval of the Secretary of State, from time to time, 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 these Rules.

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

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

(3) The Registrar shall send to the registered address of each Enrolled Nurse, whose retention fee has not been received before 31st May in any year, a written notice informing her of the consequence of failure to pay the said fee, and if the nurse fails to forward to the Registrar the said retention fee by 30th June in any year, her name shall be excluded from the Roll as from that date unless the Committee for any special reason otherwise direct.

7. Where the name of an Enrolled Nurse has been excluded from the Roll by virtue of paragraph (3) of the immediately preceding Rule, she shall be entitled to apply to have her name re-included in the Roll. Such application for re-inclusion shall be accompanied by a written explanation of the applicant's failure to pay the retention fee as above provided.

If the Committee are satisfied with the explanation offered by the applicant, and with any reference which they may reasonably require, they may re-include her name in the Roll on payment of all retention fees due for the whole period during which the applicant's name has been excluded from the Roll, together with such further sum, not exceeding the aggregate of the annual amounts which would have been paid to the Council if the retention fees had been paid by the date on which they were due in terms of Rule 6 of these Rules, as the Council may determine, provided always that the Council may, in such cases as they consider appropriate, restrict the payment of retention fees to the current year's fee only.

8. The Roll shall be made up to the 30th June in each year, and shall, if the Council so determine, be published as soon as possible thereafter at a reasonable price. It shall contain the full names and addresses of all Enrolled Nurses duly enrolled under the Act, with the date of enrolment, the qualification in each case for admission to the Roll, and the date of obtaining such qualification, and the hospital or institution in which any qualifying training has been received. The published copy of the Roll shall contain the names of all Enrolled Nurses in alphabetical order, and need not include addresses.

PART III

Conditions of admission to the Roll of Former Assistant Nurses

9.—(1) Every person who desires to obtain admission to the Roll as a Former Assistant Nurse shall make application to the Registrar on a form to be provided by the Council, and shall furnish the Registrar with the names and

addresses of at least three persons willing and able to give evidence of good character. One of such persons shall be a householder, not being a relative of the applicant, who has known her personally for not less than three years, and the others, except in those cases to which paragraph (3) of Rule 10 of these Rules shall apply, shall be persons such as Matrons of Hospitals, Registered Medical Practitioners, or other responsible persons under whom the applicant has worked and who are willing also to give evidence of professional efficiency. Provided that if at the date of her application the applicant is employed in any hospital or institution, and the Council are furnished with evidence of good character and professional efficiency by the Matron of such hospital or institution, the Council may, if they think fit, dispense with any further evidence of character and professional efficiency.

(2) The applicant shall furnish a certificate of birth or a statutory declaration by a competent person certifying that the applicant is not under 20 years of age; and in the case of a married or widowed applicant a certificate of marriage.

10. The following evidence of adequate knowledge and experience in the nursing of the sick shall be required from every person who makes application as a Former Assistant Nurse, namely:—

(1) Evidence that before 5th August, 1943, the applicant has had not less than two years' whole-time training or experience in the nursing of the sick under the supervision of trained nursing staff in a hospital or institution, or

(2) Evidence that before 5th August, 1943, the applicant has had not less than three years' whole-time bona fide practice in the nursing of the sick, including not less than six months' whole-time training or experience under the supervision of trained nursing staff in a hospital or institution, or

(3) Evidence that before 5th August, 1943, the applicant was a State Certified Midwife and had had not less than three years' whole-time training or experience in the nursing of the sick and/or midwifery, including not less than six 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

(4) Evidence of five years' whole-time bona fide practice in the nursing of the sick before 5th August, 1943, including such recent nursing experience as the Council consider adequate. An applicant under this category shall be required to furnish the Registrar with the names and addresses of a Registered Nurse and two Registered Medical Practitioners, who are willing to give evidence of good character and that the applicant has adequate knowledge and experience in the nursing of the sick and is competent to attend upon the sick in the capacity of an Enrolled Nurse, or

(5) In the case of an applicant who was on 5th August, 1943, engaged in actual practice and who does not comply with the above requirements, such special evidence of knowledge and experience as may be accepted by the Council in each individual case.

Provided that the Council may require the applicant, as a condition precedent to enrolment, to present herself for special enquiry before the Committee or representatives appointed by the Council.

11. The Council may invite the persons so named by the applicant to furnish testimonials as to her character and professional efficiency on forms to be provided by the Council, and any testimonials so furnished shall be sent direct to the Registrar.

12. The fee payable for admission to the Roll as a Former Assistant Nurse shall be two guineas or such other amount as the Council may, with the approval of the Secretary of State, from time to time determine.

Former Assistant Nurses with Intermediate Qualifications

13. Every person who desires to obtain admission to the Roll as a Former Assistant Nurse with Intermediate Qualifications shall make application to the

Registrar on a form to be provided by the Council, and shall comply with the provisions of Rule 9 of these Rules with regard to evidence of good character and professional efficiency and age, and, where applicable, of marriage.

14. The following evidence of adequate knowledge and experience in the nursing of the sick shall be required from every person who makes application for admission to the Roll under Rule 13 of these Rules, namely:—

(1) Evidence that before 1st January, 1949, the applicant has had not less than two years' whole-time training or experience in the nursing of the sick under the supervision of trained nursing staff in a hospital or institution of which not less than one year shall have been spent in the employment of one hospital or institution or in one or more hospitals or institutions under one authority, unless the Council otherwise decide, or

(2) Evidence that before 1st January, 1947, the applicant was a State Certified Midwife and has had not less than two years and six months' whole-time training in the nursing of the sick and/or midwifery, including not less than six months' whole-time training in the nursing of the sick under the supervision of trained nursing staff in a hospital or institution.

15. The Council may invite the persons so named by the applicant to furnish testimonials as to her character and professional efficiency on forms to be provided by the Council, and any testimonials so furnished shall be sent direct to the Registrar.

16. The fee payable for admission to the Roll as a Former Assistant Nurse with Intermediate Qualifications shall be two guineas or such other amount as the Council may, with the approval of the Secretary of State, from time to time determine.

Existing Mental and Mental Deficiency Nursing Assistants

17.—(1) Every person who desires to obtain admission to the Roll as an Existing Mental or Mental Deficiency Nursing Assistant shall make application to the Registrar on a form to be provided by the Council, and shall furnish the Registrar with the names and addresses of at least three persons willing and able to give evidence of good character. One of such persons shall be a householder, not being a relative of the applicant, who has known her personally for not less than three years, and the others shall be persons such as Matrons of Hospitals, Chief Male Nurses, Registered Medical Practitioners, or other responsible persons under whom the applicant has worked and who are willing also to give evidence of professional efficiency. Provided that, if at the date of her application the applicant is employed in any hospital or institution, and the Council are furnished with evidence of good character and professional efficiency by the Matron or Chief Male Nurse of such hospital or institution, the Council may, if they think fit, dispense with any further evidence of character and professional efficiency.

(2) The applicant shall furnish a certificate of birth or a statutory declaration by a competent person certifying that the applicant is not under 20 years of age; and in the case of a married or widowed applicant a certificate of marriage.

18. The following evidence of adequate knowledge and experience in the nursing of the sick shall be required from every person who makes application as an Existing Mental or Mental Deficiency Nursing Assistant, namely:—

(1) Evidence that before 30th June, 1965, the applicant (after attaining the age of eighteen years) has had not less than two years' whole-time training or experience in the nursing of mentally ill or mentally defective patients, under supervision of a Registered Mental Nurse or a Registered Nurse for Mental Defectives in a hospital or institution, has also completed a Course of Theoretical Instruction, and is competent to nurse these patients in the capacity of an Enrolled Nurse, or

(2) Evidence of five years' whole-time bona fide practice in the nursing of mentally ill or mentally defective patients before 30th June, 1965, under the supervision of a Registered Mental Nurse or a Registered Nurse for Mental Defectives. An applicant under this category shall be required

to furnish the Registrar with the names and addresses of a Registered Mental Nurse or a Registered Nurse for Mental Defectives and a Registered Medical Practitioner who are willing to give evidence of good character, and that the applicant has adequate knowledge and experience in the nursing of mentally ill or mentally defective patients and is competent to nurse these patients in the capacity of an Enrolled Nurse, or

(3) In the case of an applicant who was on 30th June, 1965, engaged in actual practice and who does not comply with the above requirements, such special evidence of knowledge and experience as may be accepted by the Council in each individual case.

Provided that the Council may require the applicant, as a condition precedent to enrolment, to present herself for special enquiry before the Committee or representatives appointed by the Council.

19. The Council may invite the persons so named by the applicant to furnish testimonials as to her character and professional efficiency on forms to be provided by the Council, and any testimonials so furnished shall be sent direct to the Registrar.

20. The fee payable for admission to the Roll as an Existing Mental or Mental Deficiency Nursing Assistant shall be two guineas or such other amount as the Council may, with the approval of the Secretary of State, from time to time determine.

Enrolled Nurses admitted by Examination

21. Every person applying for admission to the Roll, except those applying for enrolment under Rules 9 to 20 inclusive of these Rules, shall—

(*a*) Furnish evidence that she is not less than twenty years of age and, in the case of a married or widowed applicant, a certificate of marriage; and

(*b*) Furnish a certificate in the form prescribed by the Council that she has received her training in accordance with the Rules for Training and Examination aftermentioned; and

(*c*) Pass the prescribed examination.

22.—(1) For the purposes of paragraph (*c*) of sub-section (1) and paragraphs (*a*) and (*b*) of sub-section (2) of section 6 of the Act, a training institution shall be approved by the Council—

(*a*) As a Complete School, that is to say, as being, in the opinion of the Council, a Training School capable of providing a complete training qualifying for admission to the Roll; or

(*b*) As a Component School, that is to say, as being, in the opinion of the Council, a Training School capable of providing, as a component member of a group of Schools, a part of such training as aforesaid.

Provided that the Council may, if they think fit, approve the same Training School both as a Complete School and as a Component School.

(2) In approving a Component School the Council shall direct what proportion of the period of training required under these Rules is to be spent in such School and what proportion in the other School or Schools of the group of which the Component School forms a part.

(3) The Council shall prepare and keep lists of institutions which are for the time being approved by the Council as Complete Schools and as Component Schools respectively.

23. An Index of Pupil Nurses (in these Rules referred to as "the Index of Pupils") shall be kept by the Council and, when an applicant has been accepted by a Complete School or a Component School as a pupil, the Matron, Superintendent Nurse or other person occupying a similar position in the Training School shall report to the Council, within thirty days of the commencement of the pupil's training, her full name, evidence of age, educational qualifications and any other particulars the Council may reasonably require, and in the case of a Candidate who under Rule 29 of these Rules is entitled to enter for the

examination after a reduced period of training, particulars of her previous training as a Student Nurse, in order that such pupil may be recorded in the Index of Pupils.

24. The minimum age for admission to training shall be eighteen years and the name of the applicant shall not be entered on the Index of Pupils until she has attained that age.

25. If a Pupil Nurse shall for any reason discontinue her training, the Matron of the Training School concerned shall report the fact to the Council; and if she at the time of such discontinuance has completed not less than six months' training, the Matron of the Training School shall send the Council a statement showing the training undergone by her.

26.—(1) The Council shall hold an examination at such times and subject to such provisions as the Council may from time to time determine.

(2) The examination shall be based on the subjects mentioned in Parts I to V of the Syllabus approved by the Council for the purpose from time to time, together, in the case of Candidates who have spent part of their training in an institution for the treatment of pulmonary tuberculosis, with the subjects mentioned in Part VI of the said Syllabus; and, in the case of Candidates who have spent part of their training in an infectious diseases hospital, the subjects mentioned in Part VII thereof; and in the case of Candidates trained in a Mental hospital the subjects mentioned in Part VIII thereof; and in the case of Candidates trained in a Mental Deficiency hospital the subjects mentioned in Part IX thereof.

Provided that in the case of male Pupils the examination shall not extend to the subjects indicated in Part IV of the said Syllabus as not applicable to the training of male Pupil Nurses.

(3) The examination shall consist of—

(*a*) A simple written test, followed by—

(*b*) A test of practical efficiency,

and shall be held in the Complete School or in one of the Component Schools in which the Candidate has received her training.

27. In respect of every application for admission to the examination there shall be paid to the Council such fee as the Council, with the consent of the Secretary of State, may from time to time determine.

28. Subject to the provisions of Rule 29 of these Rules, no person shall be entitled to enter for the examination unless—

(*a*) The Candidate's name is on the Index of Pupils;

(*b*) The Candidate has undergone in a Preliminary Training School a period of training of not less than four consecutive weeks;

(*c*) The Candidate has since attaining the age of eighteen years completed such period of training, as the Council may from time to time determine, in a Preliminary Training School and a Complete School, or in a Preliminary Training School and group of Component Schools, and of such period not less than six months have been spent in the nursing of chronic sick or geriatric patients;

(*d*) The Candidate has been instructed in accordance with the said Syllabus;

(*e*) The Candidate is honest and of good moral character and her conduct has been satisfactory during the period of training; and

(*f*) The Candidate has deposited with the Registrar a certificate signed by the Matron, Superintendent Nurse or other person occupying a similar position in the Complete School or, as the case may be, in each Component School in which her training was carried out, verifying the requirements specified in paragraphs (*b*) to (*e*) inclusive of this Rule.

29. A remission of the period of training may be granted by the Committee to Pupil Nurses who have had not less than one year's training for admission to any Part of the Register.

Applications for such remission shall be considered by the Committee on receipt of a progress report submitted by the Head of the Enrolled Nurse Training School, after the Candidate has completed six months' training for the Roll.

30. A Pupil Nurse who has failed the examination shall take the examination following the one at which she has failed, and if she fails a second time may be required to undergo such further training as the Committee may prescribe before again presenting herself for examination. In all such cases the Committee may take into consideration any illness of the pupil or other special circumstances.

31. Should it come to the notice of the Council that a Candidate for entrance to the examination has been convicted of any crime, offence, felony or misdemeanour, or has been guilty of conduct which, had she been an Enrolled Nurse, would in the opinion of the Committee have rendered her liable to disciplinary action under these Rules and the removal of her name from the Roll, the Committee may, after giving the Candidate the opportunity of stating her case and making such other reasonable investigations as may be necessary, refuse to admit her to the examination, or defer admission until such time as the Committee may determine.

32. Should it come to the notice of the Council that a Candidate who has passed the examination has been convicted of any crime, offence, felony or misdemeanour, or has been guilty of conduct which, had she been an Enrolled Nurse, would in the opinion of the Committee have rendered her liable to disciplinary action under these Rules and the removal of her name from the Roll, the Committee may, after giving her an opportunity of stating her case and making such other reasonable investigations as may be necessary, refuse to place her name on the Roll or defer enrolment for such period as the Committee may think fit.

33. The Council may in any particular case dispense with any requirement under this Part of the Rules if they are satisfied 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.

Nurses Enrolled in England and Wales or in Northern Ireland

34. Any person whose name is included in the Roll kept by the General Nursing Council for England and Wales or by the Joint Nursing and Midwives Council for Northern Ireland shall, on making application to the Registrar and paying a fee of one guinea or such other amount as the Council may, with the approval of the Secretary of State, 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 of this Council.

PART IV

Certificate of admission to the Roll

35. Every Enrolled Nurse admitted to the Roll shall be granted a certificate in the form set out in the Third Schedule to these Rules, and such certificates shall be sealed with the Seal of the Council.

36. In the event of a certificate being lost or accidentally destroyed, the holder may apply to the Council for a new certificate, and the Council may, if they think fit, grant another certificate upon payment of such fee not exceeding ten shillings as the Council may from time to time determine. A certificate issued under this Rule shall be marked "Duplicate".

37. Any person shall be entitled, upon payment to the Registrar of a fee of ten shillings, to be furnished with a certificate under the Seal of the Council certifying that on a specified date, or during a specified period, the name of an Enrolled Nurse is, or was, or is not, or was not, included in the Roll, as the case may be.

PART V

Removal from the Roll

38.—(1) If the Council has reason to believe that an Enrolled Nurse (in this part of the Rules referred to as "the respondent"), during the period in which her name is included in the Roll, or during any period in which her name has for any reason been excluded therefrom, has been convicted of any crime, offence, felony or misdemeanour, or has been guilty of professional misconduct, the Council may direct the Registrar to make such further enquiries into the matter as they may consider necessary and shall direct the Registrar to lay the matter before the Committee.

(2) The Committee may at any stage of any case take the advice of a Solicitor appointed by them, and may instruct him to obtain precognitions of witnesses and evidence relating to the allegations against the respondent.

(3) The Committee, after considering the available information relative to any such case, may decide not to proceed with the matter. If they so decide, they shall report to that effect to the Council and no further proceedings shall be taken.

(4) In any case other than one in which the Committee has decided not to proceed, the Committee shall invite the respondent to furnish any statement or explanation which she may desire to offer.

(5) Where it is proved to the Committee by the Certificate of the competent officer of the Court in which the proceedings took place, or by such other evidence as may appear to the Committee satisfactory, that the respondent has been convicted of any crime, offence, felony, or misdemeanour, and such conviction has not been subsequently quashed on appeal, the Committee may forthwith remove the respondent's name from the Roll and require her to surrender her Certificate of Enrolment, and badge, if any, to the Registrar.

(6) In any other case, if the Committee decide that a prima facie case is made out for the removal of the respondent's name from the Roll they may direct the Registrar to arrange a hearing of the case before them, 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.

39.—(1) Where the Committee decide that a case should proceed to a hearing, they shall so report to the Council, and the Registrar shall send to the respondent a notice in writing in the form prescribed in the Fourth Schedule to these Rules specifying the nature and particulars of the charge against her and informing her of the time and place of the meeting at which the case will be heard, and shall require her to send or deliver to the Registrar her Certificate, and badge, if any, not later than the date on which the hearing takes places. 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 date on which the notice is posted and the date fixed for the hearing.

(2) At the hearing before the Committee the respondent shall be entitled to be represented by a friend or by Counsel or a Solicitor, provided that, if she intends to be represented by Counsel or a Solicitor, not less than seven days' notice of such intention shall be given to the Registrar.

40.—(1) At least seven days' notice of the meeting of the Committee at which such a hearing is to take place shall be sent by the Registrar to each member of the Committee.

(2) The Council shall appoint Counsel or a Solicitor, either of whom shall be of not less than ten years' standing, to sit with the Committee as their legal assessor at the hearing of a case; but if in any particular proceedings no assessor appointed by the Council is available to act the Committee may appoint the legal assessor.

(3) The Committee may administer oaths; and either party may apply to the Court of Session to grant warrant for the citation of witnesses, for the recovery of documents and for the taking of evidence on commission.

(4) At the hearing of the case, the Solicitor, Registrar or other person appointed by the Committee for the purpose shall first state to the Committee the facts of the case and the charge alleged against the respondent, and shall then submit to the Committee the evidence in support of the charge, and the respondent or her representative shall be entitled to cross-examine any witness appearing against her on matters relevant to the charge.

(5) When the statement of the charge and evidence in support thereof are concluded, the respondent or her representative, shall be invited by the Chairman to address the Committee and to tender evidence in answer to the charge, and the Solicitor, Registrar or other person appointed by the Committee for the purpose, shall be entitled to cross-examine any witness tendered in answer to the charge, and to reply upon the whole case, after the respondent or her representative has replied.

(6) If the respondent does not attend, either personally or by a representative, the Committee may proceed to hear and determine the case in her absence.

(7) Upon the conclusion of the case the Committee shall, after consideration of the relevant evidence, pronounce their decision either forthwith or at a later date in writing or at a subsequent meeting.

41.—(1) If the Committee find the charges against the respondent to be proved, either in whole or in part, they may remove her name from the Roll.

(2) The Registrar shall forthwith communicate with the respondent by registered letter informing her of the decision of the Committee.

(3) 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 delete her name from the Roll.

42. In the event of the Council receiving a notification from the General Nursing Council for England and Wales, or from 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 England and Wales or Northern Ireland by reason of a finding of such Council that such nurse has been guilty of a crime, offence, felony or misdemeanour or misconduct, then if the Registrar shall find that such nurse is also enrolled in the Roll, the Registrar shall inform such nurse in writing by registered letter that the Council has received such notification, and shall enquire 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-one days, or within such longer period as the Committee may in any case appoint, 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 within twenty-one days or such longer period as aforesaid that she does desire to show cause as aforesaid, the Registrar shall lay the matter before the Committee. The Committee shall invite the nurse to submit to them a written statement showing cause as aforesaid. Thereafter the Committee shall proceed to deal with the case under this Part of these Rules as if the Council had originally had reason to believe that the nurse had been convicted of a crime, offence, felony or misdemeanour, or had been guilty of professional misconduct.

43. In the event of the removal of the name of an Enrolled Nurse from the Roll under this Part of the Rules notification of the facts of such removal shall forthwith be sent by the Registrar to the General Nursing Council for England and Wales and to the Joint Nursing and Midwives Council for Northern Ireland.

PART VI

Restoration to the Roll

44.—(1) Where the name of an Enrolled Nurse has been removed from the Roll under Part V of these Rules, 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 of whom two shall be Justices of the Peace, Ministers of Religion, Registered Medical Practitioners, or Registered Nurses, able and willing to identify the applicant and give evidence as to her character and the nature of her employment, both before and since the date of the removal of her name, and such other evidence on matters within their knowledge as the Committee may require.

(3) The Committee may require the applicant to verify by a statutory declaration any statement made in her application or any further statement which they may think necessary and may, if they think fit, require the applicant to attend in person at a meeting of the Committee, at which her application is to be considered.

(4) At any proceedings relating to restoration to the Roll the Committee may administer oaths, and either party may apply to the Court of Session to grant warrant for the citation of witnesses, for the recovery of documents and for the taking of evidence on commission.

(5) At any proceedings relating to restoration to the Roll if the Committee determine that a legal assessor shall be present, the Council shall appoint Counsel or a Solicitor either of whom shall be of not less than ten years' standing; but if at any particular proceedings no assessor appointed by the Council is available to act the Committee may appoint the legal assessor.

45. If upon consideration of the application and of the evidence furnished in support of it the Committee are satisfied that the name of the applicant should be restored to the Roll, they shall direct the Registrar accordingly, and upon payment by the applicant of a fee of ten shillings her name shall be restored to the Roll and a new Certificate shall be issued to her.

46. In the event of the restoration of the name of an Enrolled Nurse to the Roll under this Part of these Rules, notification of the fact shall be forthwith sent by the Registrar to the General Nursing Council for England and Wales and to the Joint Nursing and Midwives Council for Northern Ireland.

47.—(1) In the event of notice being received by the Council from the General Nursing Council for England and Wales or from the Joint Nursing and Midwives Council for Northern Ireland that they have restored to their Roll the name of an Enrolled Nurse whose name they had removed from their Roll, then if the Registrar shall find that the name of such Enrolled Nurse 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 enquiries and shall, if they think fit, having regard to all the circumstances and at their discretion, likewise restore the name of such Enrolled Nurse 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.

(2) In the event of the Committee restoring the name of an Enrolled 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 England and Wales and to the Joint Nursing and Midwives Council for Northern Ireland.

PART VII

Rules with respect to the Uniform and Badge which may be worn by Enrolled Nurses

48. The Uniform and Badge of an Enrolled Nurse shall be the Uniform and Badge described in the Fifth Schedule to these Rules.

49. The Uniform in all its details 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 any foreign order, decoration, or medal accepted by permission of the Sovereign.

50. 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.

51. No Enrolled Nurse shall wear the Uniform without a Permit from the Registrar.

52. A Permit to wear a Uniform shall be issued on enrolment and shall be embodied in the Retention Fee receipt for each year. If a second Permit is required in any year for any cause satisfactory to the Council the same shall be supplied for a fee of two shillings and sixpence and the fee payable for any further Permit shall be five shillings or such other amounts as the Council may from time to time determine.

53. A Uniform shall be obtained only from a firm authorized by the Council to supply Uniforms, and the Permit from the Registrar shall be produced at the time of the Order.

54. 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.

55. An Enrolled Nurse shall not dispose of her Uniform unless all distinguishing features have been previously removed therefrom.

56. The Badge shall be obtained only on production of a Permit obtainable from the Council.

57. The Badge may be worn with or without Uniform but shall not be worn on the left side.

PART VIII

Election Rules

58. The members of the Committee required, by the provisions of the Second Schedule to the Act, to be elected shall be elected in accordance with the following scheme:—

(1) The first election after the date of these Rules shall take place on Thursday, 29th November, 1962, and subsequent elections shall take place on the last Thursday of November in every fifth year thereafter.

(2) The election shall be carried out by postal ballot. The Council shall appoint such person as they may think fit as Returning Officer.

(3) On or before the first day of October in any year in which an election is to take place, the Registrar shall publish in at least two nursing journals and in daily newspapers published in each of the following places, namely: Edinburgh, Glasgow, Aberdeen and Dundee, a notice stating that an election is to take place, where nomination papers may be obtained, and the date on which nominations must be lodged in her hands. The nomination paper shall be in or as nearly as may be in the form laid down in the Sixth Schedule to these Rules.

(4) A person nominated for election shall be either an Enrolled Nurse or a Nurse registered under the Act. The nomination shall be made by an Enrolled Nurse and seconded by another Enrolled Nurse. No nomination

paper shall be valid unless signed by the proposer and seconder and by the nominee and received by the Registrar not later than 10 o'clock forenoon on the fourteenth day of October in the year of election. If by 10 o'clock forenoon on the said date no more than three valid nominations are received by the Registrar, the Returning Officer shall declare the persons so nominated to be duly elected.

(5) If fewer than three members are elected under the foregoing provisions of this Rule, the Returning officer shall forthwith inform the Secretary of State so that he may make any necessary appointment.

(6) On or before the first day of November in any year in which the number of valid nominations received as aforesaid exceeds three, the Registrar shall send by post to each person enrolled, on the date of the election, as an Enrolled Nurse under the Act, a voting paper in or as nearly as may be in the form set out in the Seventh Schedule to these Rules, and shall also send a voting paper to all persons so enrolled between the date at which the said notices are despatched and the date of the election.

(7) An Enrolled Nurse shall be entitled to record one vote in respect of each of three of the persons nominated by marking on the voting paper a cross against the names of each of the persons for whom she desires to record a vote. A voting paper which records more than three votes in all, or records more than one vote for any one nominee, shall be treated as a spoiled paper and shall be rejected by the Returning Officer *in toto*.

(8) No voting paper shall be accepted which is received by the Registrar later than 12 noon on the last Thursday in November in any year in which an election takes place. As soon as possible thereafter the votes shall be counted under the direction of the Returning Officer, who shall declare elected the three nominees having the largest number of votes. If two or more nominees receive the same number of votes, and the addition of a vote to the number received by any one of the said nominees would enable that nominee to be declared elected, the Returning Officer shall decide by lot which of the nominees shall be elected.

The result of an election shall be published by the Returning Officer in the journals and newspapers aforesaid.

(9) All questions with regard to the validity of nomination papers or voting papers, or to other matters connected with an election, shall be determined by the Returning Officer, whose decision shall be final.

PART IX

Miscellaneous

59. The forms set out in the Schedules to these Rules and all instructions contained therein shall be deemed to be part of these Rules, and such form or forms substantially to the like effect shall be used in all cases for which the forms are provided.

60. 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 Thirtieth day of November, 1961.

Mabel Wilson,
Registrar.
General Nursing Council
for Scotland.

5 Darnaway Street,
Edinburgh.

FIRST SCHEDULE

Rules Revoked

Titles

The principal Rules for Assistant Nurses framed by the General Nursing Council for Scotland under Part I of the Nurses (Scotland) Act, 1943.

Rules made under the First Schedule of the Nurses (Scotland) Act, 1943, which Rules relate to the election of members of the Assistant Nurses Committee.

The General Nursing Council for Scotland (Amendment) (No. 2) Rules, 1949.

(Approval Instrument S.I. 1949 No. 984 (S. 63).)

The General Nursing Council for Scotland (Amendment) (No. 2) Rules, 1950.

(Approval Instrument S.I. 1950 No. 943 (S. 66).)

Part II of the General Nursing Council for Scotland (Amendment) Rules, 1951.

(Approval Instrument S.I. 1952 No. 296 (S. 12).)

The General Nursing Council for Scotland (Amendment) Rules, 1954.

(Approval Instrument S.I. 1955 No. 123 (S. 10).)

SECOND SCHEDULE

Form of Roll

Particulars to be Entered

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*) Permanent address.

(*d*) Date and place of enrolment.

(*e*) 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 hospital or institution in which any qualifying training or experience has been received.

THIRD SCHEDULE

Form of Certificate to be granted on admission to the Roll of Nurses in terms of Rule 35

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.

SEAL.

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

FOURTH SCHEDULE

GENERAL NURSING COUNCIL FOR SCOTLAND

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 Enrolled Nurses Committee propose to investigate such charge(s) at a meeting to be held at the offices of the Council.....

.....Edinburgh, at a.m. / p.m. on the day of 19..., and to determine whether you should be removed from the Roll.

PARTICULARS OF CHARGE(S)

You are hereby required to attend before the Enrolled Nurses Committee at the time and place mentioned above, and to answer such charges, 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 Committee.

The following points should be carefully noted:—

(*a*) You are entitled to be represented at the hearing before the Committee by a friend or by Counsel or Solicitor, but if you propose to employ Counsel or Solicitor you must 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 (and badge).

A copy of the Enrolled Nurses (Scotland) Rules, 1961, is enclosed, and your attention is directed to Part V of these Rules.

Date ..... Signature.....

FIFTH SCHEDULE

PART I

UNIFORM AND BADGE WHICH MAY BE WORN BY FEMALE ENROLLED NURSES

A. DESCRIPTION OF UNIFORM

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

The outdoor uniform shall consist of:—

1. Overcoat (lightweight) or
2. Overcoat (heavyweight) or
3. Raincoat or
4. Costume worn with blouse and
   (*a*) Peaked Cap with embroidered badge in front or
   (*b*) Beret with cockade and embroidered badge or
   (*c*) Double crowned felt hat with cockade and embroidered badge.

With any of the above uniforms must be worn:—

Brown shoes.

Brown stockings.

Handbags if carried shall be brown in colour.

The indoor uniform shall consist of:—

1. Washing frock to be worn with an apron or
2. Button-through washing frock to be worn without apron.

3. Mess frock.

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

Brown shoes.

Brown stockings.

B. PARTICULARS OF ITEMS OF UNIFORM

OVERCOAT

Style

Double breasted, Lancer front. Regulation buttons.

Worn button-to-throat or open to third button.

Detachable epaulettes with plated metal letters.

Two pockets with flaps, one inside pocket.

All-round belt with leather covered slide.

Lined to waist.

Lightweight:—

Inverted pleat at back.

With or without belt.

Heavyweight:—

Inverted pleat at back or vent.

Material

Lightweight:—

Dark green suiting serge.

Heavyweight:—

Dark green cheviot.

RAINCOAT

Style

"Burberry" design, detachable epaulettes with bronze and metal letters.

Material

Approved special material of dark green rainproof cloth with interwoven lining of apple green wool.

COSTUME

Style

Jacket. Single breasted. Four regulation buttons.

Detachable epaulettes with gold wire embroidered letters.

Two patch pockets with flaps, one inside pocket.

Seam centre back.

Skirt. Four pieces, Flared. Seams centre back and front, and sides.

Or alternatively:—Six gores. Flared.

Material

Dark green suiting serge.

BLOUSE No. 1

Style

Yoke and panel front. Coat collar and revers.

Built up shoulders. Bishop sleeves.

Material

Apple green wool, silk or cotton.

BLOUSE No. 2

Style

Polo collar. Bishop sleeves.

Back gathered into shallow yoke.

Material

Apple green wool, silk or cotton.

Washing Frock—1

Style

Bodice with yoke and panel front.

Fasten centre front with four regulation buttons.

Back plain.

Dark green drill detachable epaulettes with bronze metal letters.

Polo collar.

Built up shoulders. Elbow length sleeves with detachable half-sleeves.

Six piece skirt with panel back and front.

Two patch pockets with imitation flaps.

Material

Apple green drill.

Worn with—

Square bib apron with straps.
American style cap.

Washing Frock—2

Style

Open centre front to hem, and fastened with nine regulation buttons.

Bodice has yoke and plain panel.

Coat collar and revers. Short sleeves.

Detachable epaulettes with bronze metal letters.

Two patch pockets with imitation flaps.

Material

Apple green drill.

Worn without apron.

American style cap.

Mess Frock

Style

Yoke and plain panel front. Fastened with four regulation buttons

Plain back. Plain sleeves.

All-round belt with cloth covered slide.

Four piece skirt with inverted pleat in front and panel back.

Two patch pockets with flaps.

Material

Apple green wool.

C. Badge and Lettering

Silver Badge—The Badge is made of silver 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.

The embroidered Badge consists of the letters S.E.N. worked in gold wire on a dark green background.

The Metal letters on epaulettes consist of the letters S.E.N. in bronze plated metal.

PART II

UNIFORM AND BADGE WHICH MAY BE WORN BY MALE ENROLLED NURSES

A. DESCRIPTION OF UNIFORM

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

The outdoor uniform shall consist of:—

1. Heavyweight or lightweight overcoat or approved raincoat.
2. Dark brown lounge suit worn with white shirt.
3. Dark green tie, and
   (*a*) Peaked cap with embroidered badge in front.
   (*b*) Beret with embroidered badge in front.
   (*c*) Forage cap with embroidered badge side front left.

The indoor uniform shall consist of:—

Washing duty coat.

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

Dark brown socks.

Brown boots or shoes.

With outdoor uniform dark brown or chamois gloves shall be worn.

B. PARTICULARS OF ITEMS OF UNIFORM

OVERCOAT

Style

Double breasted, Lancer front. Regulation buttons.

Worn button-to-throat or open to third button.

Detachable epaulettes with plated metal letters.

Two pockets with flaps and one inside pocket.

All-round belt with leather covered slide.

Lined to waist.

Material

Dark brown cheviot or serge.

RAINCOAT

Style

" Burberry " design, detachable epaulettes with bronze metal letters.

Material

Approved special material of dark brown rainproof cloth.

SUIT

Style

Plain lounge suit single or double breasted with regulation detachable buttons.

Trousers—with or without turn-ups.

Material

Dark brown suiting serge or similar material.

SHIRT

White poplin shirt with detachable semi-stiff collar.

TIE

Dark green tie.

HATS

1. Dark brown peaked cap with embroidered badge in front.
2. Dark brown beret with embroidered badge in front.

3. Dark brown forage cap with two small regulation buttons in front and embroidered badge side front left.

Washing Duty Coat

Style

Coat to knee length, with wide wrap. Button-over front fastening with 8/9 regulation buttons, with upstanding collar. Inset belt at back, two pockets. Detachable half-sleeves. Epaulettes of dark green bearing bronze metal letters of designation.

Material

Apple green drill.

C. Badge and Lettering

The Badge, embroidered badge and metal letters are identical with those prescribed for female Enrolled Nurses.

SIXTH SCHEDULE

General Nursing Council for Scotland

Enrolled Nurses Committee

Election of Members

Date.....

Nomination Papers

We hereby nominate:

(Name in full) .....

(Address) .....

.....

(Professional status) .....

as a Member of the Enrolled Nurses Committee.

(Signature) .....
(Name in full) .....
(Address on Roll) .....
(Enrolment Number) ..... } Proposer.

(Signature) .....
(Name in full) .....
(Address on Roll) .....
(Enrolment Number) ..... } Seconder.

I hereby consent to be nominated as a candidate for election to the Enrolled Nurses Committee.

(Signature) .....

(Registered Number or Enrolment Number)

.....

Proposer must obtain the Signature of nominated Candidate to this declaration.

Notes

1. Person nominated may be of either sex, but must be either on the Roll of Enrolled Nurses, or on at least one Part of the Register kept by the Council.

2. If a member wishes to nominate more than one candidate, a separate Nomination Paper must be used for each.

3. Nomination Papers must be sent to the Registrar, General Nursing Council for Scotland, 5, Darnaway Street, Edinburgh, in a sealed envelope marked "Election", and must reach her not later than.....

4. This is not a Voting Paper. Voting Papers will be sent out after nominations have been received.

SEVENTH SCHEDULE

General Nursing Council for Scotland

Enrolled Nurses Committee

Voting Paper for Election of Members

Date.....

The following Candidates have been duly proposed and seconded for election. You have three votes, and may use that or any smaller number of votes, but may not give more than one vote to any one Candidate.

To Vote:—

(1) make a cross —X— in the space opposite the name of each Candidate for whom you wish to vote.

(2) Sign your name at the place marked.

(3) Give your full name.

(4) Give your permanent address as on the Roll.

(5) Give your enrolment number.

(6) Post the Voting Paper to the Registrar, General Nursing Council for Scotland, to reach her not later than .....

No other communication must be enclosed with the Voting Paper.

If the above directions are not carried out, your Voting Paper is rendered invalid and your votes will not be counted.

Name of Candidate.	Address.	Professional Status.

Signature of Voter .....

Name in Full .....

Address on Roll .....

Enrolment Number .....

EXPLANATORY NOTE

(This Note is not part of the Instrument, but is intended to indicate its general purport.)

The Rules consolidate and amend in certain respects all the Rules of the General Nursing Council for Scotland which affect Enrolled Nurses.

The principal changes made by the new Rules are:—

(*a*) Persons who, by 30th June, 1965, have acquired adequate knowledge and experience in nursing the sick while employed as nursing assistants in a mental hospital or a mental deficiency hospital, may apply for enrolment without examination;

(*b*) Persons, who were previously eligible to apply for enrolment without examination by virtue of having gained adequate knowledge or experience before 1st January, 1949 (in certain cases, 1st January, 1947) but who did not so apply before the expiry of the time limit set by the Rules now revoked may now apply without limit of time;

(*c*) The training to be taken by persons who enter for the examination for admission to the Roll may now be undergone in a mental hospital or a mental deficiency hospital which has been approved as a complete school or a component school.

The Rules also take account of the provisions of the Nurses (Scotland) Act, 1961, regarding (*a*) the omission of the word "assistant" from the titles "roll of assistant nurses" and "enrolled assistant nurse" and the change of the title of the "Assistant Nurses Committee" to the "Enrolled Nurses Committee"; (*b*) the appointment of legal assessors and the administration of oaths in disciplinary proceedings, and (*c*) the procedure to be followed for the citation of witnesses and havers, etc., in disciplinary proceedings.

Various other minor verbal amendments have been made.