EXPLANATORY NOTE.

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

By virtue of this order, the 22nd September, 1950, is the date on which, under the provisions of section 1 (1) of the Nurses Act, 1949, the General Nursing Council for England and Wales will be reconstituted in accordance with the First Schedule to that Act.

Under the provisions of section 1 (3), the members of the Assistant Nurses Committee appointed by the Council who hold office on the 21st September, 1950, will vacate office on the expiration of that day.

Under the provisions of section 9, on the expiration of 3 months beginning with the 22nd September, 1950, or such longer period as may be ordered, there will be established a Mental Nurses Committee of the Council.

ELECTION SCHEMES

The Mental Nurses Committee (Election Scheme) Rules, Approval Instrument, 1950

1950 No. 1208

Made - - - -	21*st July*, 1950
Laid before Parliament	24*th July*, 1950
Coming into Operation	25*th July*, 1950

M.H. 110769.

Whereas the General Nursing Council for England and Wales have, in pursuance of their powers under section 20 of, and the Third Schedule to, the Nurses Act, 1949(a), made rules prescribing the scheme of election of the two members of the Mental Nurses Committee of the Council to be established under the provisions of section 9 of the said Act, who are required by the said Third Schedule to be elected, and have submitted the said rules to the Minister of Health for his approval:

Now, therefore, the Minister of Health, in exercise of his powers under section 20 of the Nurses Act, 1949, and of all other powers enabling him in that behalf, hereby approves the said rules in the form set out in the Schedule hereto.

This instrument may be cited as the Mental Nurses Committee (Election Scheme) Rules, Approval Instrument, 1950, and shall come into operation on the twenty-fifth day of July, 1950.

SCHEDULE

THE GENERAL NURSING COUNCIL FOR ENGLAND AND WALES

THE NURSES ACT, 1949

The General Nursing Council for England and Wales in the exercise of their powers under section 20 of, and the Third Schedule to, the Nurses Act, 1949, hereby make the following Rules:—

1. These Rules may be cited as the Mental Nurses Committee (Election Scheme) Rules, 1950.

(a) 12, 13 & 14 Geo. 6. c. 73.

2. The Interpretation Act, 1889(a), applies to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

3. The two members of the Mental Nurses Committee of the Council to be established under the provisions of section 9 of the Nurses Act, 1949, who are required by the provisions of the Third Schedule to the Act to be elected, shall be elected in accordance with the Scheme set out in the Schedule to these Rules.

SCHEDULE TO THE RULES

General Nursing Council for England and Wales

Scheme made under paragraph 2 of the Third Schedule to the Nurses Act, 1949, for the election of two persons to be members of the Mental Nurses Committee of the General Nursing Council for England and Wales.

Interpretation

1. Unless the context otherwise requires, expressions used in this Scheme have the same meanings as in the Nurses Rules, 1921 to 1950.

Returning Officer

2.—(1) The Council shall in the case of the first election, before the first day of August, 1950, and in the case of subsequent elections, at least six months before the date on which the elected members of the Mental Nurses Committee cease to hold office, appoint a person, not being a member of the Council, to be the Returning Officer for the ensuing election.

(2) The Returning Officer shall appoint a Deputy Returning Officer, not being a member of the Council, to act for him in the event of his absence or inability to act, and the expression " Returning Officer " in this Scheme includes the Deputy Returning Officer so acting.

(3) The Returning Officer shall have power, subject to the approval of the Council, to employ and pay out of the monies received by the Council the staff necessary for the conduct of the election.

(4) Subject to the provisions of this Scheme, the Returning Officer shall be responsible for the conduct of the election.

Qualifications of Candidates and Electors

3. In order to be eligible for election under this Scheme as one of the two elected persons of the Mental Nurses Committee, or to be entitled to nominate for, and take part in, the election, a person must be a registered mental nurse on the date of the election.

Publication of Notice of Election

4. The Returning Officer shall fix the last day on which nomination papers are to be received, and at least twenty-eight clear days before the day so fixed shall cause a notice of the election to be published, specifying the number and qualification of persons to be elected, the place where the nomination papers are to be sent in, and the last day on which they are to be received. The notice shall be published in two or more newspapers circulating in England and Wales, Scotland and Northern Ireland, and shall be, as nearly as may be, in the form marked A in the Appendix to this Scheme.

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

Nomination

5.—(1) Each candidate for election shall be nominated by a separate nomination paper signed by not fewer than six persons having the requisite qualification for nominating the candidate. No person may nominate more than two candidates.

(2) Each nomination paper shall state the name, address and registered qualification of the person nominated, and also the addresses and registered qualification of the persons signing such paper, and shall be, as nearly as may be, in the form marked B in the Appendix to this Scheme.

(3) Every nomination paper shall, before twelve noon of the last day fixed for the receipt of nomination papers, be delivered by post or otherwise to the Returning Officer, General Nursing Council for England and Wales, 23, Portland Place, London, W.1, and shall be accompanied by a declaration in writing, signed by the person nominated, in the form marked C in the Appendix to this Scheme or to the like effect, acknowledging that such person consents to be nominated. Every nomination paper in respect of which any requirement of this Scheme has not been complied with, or which is not received by the Returning Officer before twelve noon of the last day fixed for the receipt of nomination papers, shall be invalid. Provided that no misnomer or inaccurate or incomplete description of any person or place named in any nomination paper shall invalidate that paper if, in the opinion of the Returning Officer, the description of the person or place is such as to be commonly understood.

Conduct of Election

6.—(1) If the number of duly nominated candidates does not exceed two, the Returning Officer shall forthwith declare such candidate or candidates to be elected.

(2) If the number of duly nominated candidates exceeds two, the Returning Officer shall cause ballot papers and identification envelopes to be prepared. Ballot papers shall contain the names, addresses and registered qualification of all the persons nominated, and state the last day on which ballot papers may be received, and the place to which they are to be returned, and the identification envelope shall bear a declaration of identity.

Ballot papers and identification envelopes shall be, as nearly as may be, in the forms marked D and E in the Appendix to this Scheme.

(3) The Returning Officer shall, twenty-one clear days at least before the last day fixed for the receipt of ballot papers, cause a ballot paper to be forwarded by post to each person qualified to take part in the election at her registered address, together with an identification envelope. Each elector shall be entitled to receive one ballot paper and one identification envelope, and no more, and votes shall not be given except upon the ballot papers provided by the Returning Officer.

(4) Each elector shall mark the ballot paper delivered to her with a **X** against the name or names of the person or persons (not exceeding two), for whom she intends to vote, and shall place her ballot paper folded face inwards in the identification envelope, and securely fasten the same. The elector shall sign the declaration printed on the said envelope, place it inside a covering envelope, and send it by post or otherwise to the Returning Officer at the above-named address. Every ballot paper in respect of which any requirement of this Scheme has not been complied with, or on which the elector has placed any mark whereby she may be afterwards identified, or which is not received by the Returning Officer before twelve noon on the last day fixed for the receipt of ballot papers, shall be invalid.

(5) The Returning Officer shall cause the validity of the votes to be ascertained by an examination of the identification envelopes and by such other evidence, if any, as he may think necessary, and shall cause such of the identification envelopes as are found to be valid to be opened, and the ballot papers withdrawn, kept folded face inwards, and placed in a ballot box. When the ballot papers

have been transferred to the ballot box they shall be examined and counted, and the number of valid votes given for each candidate shall be ascertained. Any candidate, or agent appointed by her in writing to represent her, may be present during the examination of the identification envelopes and the counting of the ballot papers, and accordingly the Returning Officer shall notify each candidate of the time and place of the examination and counting.

(6) The two candidates having the greatest number of votes shall be declared elected by the Returning Officer. If an equality of votes is found to exist between two or more candidates and the addition of a vote would entitle any of such candidates to be declared elected, the Returning Officer shall determine by lot which of the candidates whose votes are equal shall be declared elected.

Powers of Returning Officer

7.—(1) Any question arising with regard to the validity of a nomination or ballot paper, or otherwise in connection with any election held under this Scheme, shall be determined by the Returning Officer.

(2) No election held under this Scheme shall be invalidated by reason of misdescription or non-compliance with the provisions of this Scheme, or by reason of any miscount or of the non-delivery, loss, or miscarriage in the course of post of any document required under this Scheme to be despatched by post, if the Returning Officer certifies in writing that the election was conducted substantially in accordance with the provisions of this Scheme, and that the result of such misdescription, non-compliance, miscount, non-delivery, loss or miscarriage did not affect the result of the election: Provided that any unsuccessful candidate or her agent may, within fourteen days after the declaration by the Returning Officer of the result of the election, appeal to the Minister of Health against a Certificate given by the Returning Officer under this sub-paragraph, and the decision of the Minister shall be final.

Notice of Result of Election

8. The Returning Officer shall forthwith give to each person elected written notice of her election, and shall furnish the Council with the names of the persons certified by him to have been duly elected, showing the number of votes cast for each of such persons.

Secrecy of Ballot

9. The Returning Officer, and every officer, clerk, or servant employed in connection with the election shall maintain, and aid in maintaining, the secrecy of the ballot, and shall not communicate to any person any information as to the manner in which any elector has recorded her vote.

APPENDIX

FORM A (*Notice of election*)

Nurses Act, 1949

Notice is hereby given that pursuant to the *Nurses Act, 1949*, an election of two members of the MENTAL NURSES COMMITTEE OF THE GENERAL NURSING COUNCIL FOR ENGLAND AND WALES, to represent registered mental nurses, is about to be held.

In order to be eligible for election or to be entitled to nominate for and take part in the election, a person must be a registered mental nurse (which term includes a " registered nurse for mental defectives ") on the date of the election.

Each candidate must be nominated by a separate nomination paper.

Any person having the requisite qualification for nominating a candidate may nominate not more than two candidates.

Every nomination paper must state the name, address and registered qualification of the candidate nominated; it must be signed by not fewer than six persons having the requisite qualification for nominating the candidate; and the address and registered qualification of each one so signing must be appended to her signature.

The nomination paper must be accompanied by a declaration in writing signed by the person nominated, acknowledging that she consents to be nominated, and must be delivered by post or otherwise, before the hour of twelve noon on the day of , 19 , addressed to the Returning Officer, The General Nursing Council for England and Wales, 23, Portland Place, London, W.1, from whom forms of the nomination paper may, on application by post or otherwise, be obtained.

Every nomination paper which is not received at the address given above before the hour of twelve noon on the day of , 19 , will be invalid.

(Date) Returning Officer.

FORM B (*Form of nomination paper*)

We, the undersigned, being registered mental nurses (1)

hereby nominate (2)

of (3)

who is a registered mental nurse (1) and whose registration number is (4)

as a proper person to be elected to the Mental Nurses Committee of the General Nursing Council for England and Wales by registered mental nurses (1)

Signatures of Nominators	Address	Registered Qualification and Number

(Date)

(1) The term " registered mental nurse " includes a " registered nurse for mental defectives ".

(2) Here insert full name, including Christian names, of candidate.

(3) Here insert candidate's address.

(4) Here insert candidate's registration number.

N.B.—A nurse may not nominate more than two candidates.

FORM C (*Form of declaration to be issued with the nomination paper for return by the candidate nominated*)

ELECTION OF DIRECT REPRESENTATIVES TO THE MENTAL NURSES COMMITTEE OF THE GENERAL NURSING COUNCIL FOR ENGLAND AND WALES

(Date)

I consent to be nominated as a candidate for election as a representative of registered mental nurses (1) to serve on the Mental Nurses Committee of the General Nursing Council for England and Wales. I declare that the statement in the nomination paper with regard to my qualification is correct.

Name in full (in BLOCK LETTERS)

Address

Registration Number Signature of Candidate.....

(1) The term "registered mental nurse" includes a "registered nurse for mental defectives".

FORM D

BALLOT PAPER

Election of two registered mental nurses.

Elector's Mark X	Name of Candidate Nominated	Address	Registered Qualification and Number

N.B.—The registered mental nurse (which terms includes a "registered nurse for mental defectives") voting must put a mark thus, X, against the name or names of the candidate or candidates for whom he or she votes.

The elector must not vote for more than two candidates but may vote for one only. If the elector places any mark on this ballot paper by which such elector may be afterwards identified, the whole ballot paper will be null and void and will not be counted.

This paper must be folded face inwards and placed in the identification envelope, which must be signed by the elector in the place marked for that purpose, securely fastened and placed in a covering envelope, which must then be sent by post or otherwise to the Returning Officer, General Nursing Council for England and Wales, 23, Portland Place, London, W.1, and must be received there before the hour of twelve noon on the day of , 19 .

FORM E (*Form of identification envelope*)

GENERAL NURSING COUNCIL FOR ENGLAND AND WALES

(Identification Envelope)

ELECTION OF DIRECT REPRESENTATIVES TO THE MENTAL NURSES COMMITTEE

To

I, the undersigned, hereby declare that I am the person to whom the enclosed ballot paper is addressed as above, that I am a nurse registered in the part of the Register for mental nurses and that I have not marked any other ballot paper in this election.

(Signature)

Seal

Dorothy M. Smith,
Chairman of the Council.

The Seal of the General Nursing Council for England and Wales was hereunto affixed this 14th day of July, 1950.

M. Henry,
Registrar.

Given under the official seal of the Minister of Health this twenty-first day of July, nineteen hundred and fifty.

(L.S.)

Aneurin Bevan,
Minister of Health.

EXPLANATORY NOTE

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

The rules prescribe the Scheme of election of the two members of the Mental Nurses Committee of the General Nursing Council for England and Wales, to be established under the provisions of section 9 of the Nurses Act, 1949, who are required to be elected by virtue of the provisions of the Third Schedule to the Nurses Act, 1949.