Short Title.	Session and Chapter.
Trusts (Scotland) Act, 1921	11 & 12 Geo. 5. c. 58.
Conveyancing (Scotland) Act, 1924	14 & 15 Geo. 5. c. 27.
Private Legislation Procedure (Scotland) Act, 1936	25 Geo. 5 & 1 Edw. 8. c. 52.
Factories Act, 1937	1 Edw. 8 & 1 Geo. 6. c. 67.
Limitation Act, 1939	2 & 3 Geo. 6. c. 21.
Law Reform (Frustrated Contracts) Act, 1943 ...	6 & 7 Geo. 6. c. 40.
Acquisition of Land (Authorisation Procedure) Act, 1946	9 & 10 Geo. 6. c. 49.
Borrowing (Control and Guarantees) Act, 1946 ...	9 & 10 Geo. 6. c. 58.
National Insurance Act, 1946	9 & 10 Geo. 6. c. 67.
Exchange Control Act, 1947	10 & 11 Geo. 6. c. 14.
Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947	10 & 11 Geo. 6. c. 42.
Town and Country Planning Act, 1947	10 & 11 Geo. 6. c. 51.
Town and Country Planning (Scotland) Act, 1947	10 & 11 Geo. 6. c. 53.
Companies Act, 1948	11 & 12 Geo. 6. c. 38.
Finance Act, 1948	11 & 12 Geo. 6. c. 49.

CHAPTER 73

Nurses Act, 1949

ARRANGEMENT OF SECTIONS

Reconstitution of the General Nursing Council for England and Wales

Section
1. Reconstitution of the General Nursing Council and consequential provisions.

Training of Nurses

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3. Experimental training of nurses.
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Section
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24. Short title, citation, extent and repeal.

SCHEDULES:
First Schedule.—The General Nursing Council for England and Wales.
Second Schedule.—Area Nurse-Training Committees.
Third Schedule.—The Mental Nurses Committee.
Fourth Schedule.—Enactments repealed.

An Act to reconstitute the General Nursing Council for England and Wales and otherwise to amend the Nurses Acts, 1919 to 1945, and to make further provision with respect to the training of nurses for the sick.

[24th November 1949.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Reconstitution of the General Nursing Council for England and Wales

Reconstitution of the General Nursing Council and consequential provisions.

1.—(1) On the appointed day the General Nursing Council for England and Wales (in this Act referred to as "the Council") shall cease to be constituted in accordance with the Schedule to the Act of 1919 and shall be reconstituted in accordance with the First Schedule to this Act.

(2) The Act of 1919 shall have effect as if, in paragraph 5 of the Schedule thereto (which provides that the members of the Council shall hold office for a term of five years),—

(*a*) in relation to the members of the Council appointed in the year nineteen hundred and forty-seven, a reference to the period beginning with the twenty-third day of December in that year and ending with the day immediately preceding the appointed day had been substituted for the reference to a term of five years; and

(*b*) in relation to the members of the Council elected in the year nineteen hundred and forty-four, a reference to the period beginning with the twenty-third day of

December in that year and ending with the day immediately preceding the appointed day had been so substituted.

(3) The members of the Assistant Nurses Committee appointed by the Council who hold office on the day immediately preceding the appointed day shall vacate office on the expiration of the first-mentioned day (without prejudice however to their eligibility for re-appointment), and the vacancies shall be filled by the making, by the Council, of fresh appointments of members who shall hold office for the residue of the term of office then current of the other members of the Committee.

(4) The supplementary provisions contained in the First Schedule to this Act shall have effect with respect to the Council as reconstituted by this section and for the purposes of the reconstitution of the Council, and it shall be the duty of the Council as constituted in accordance with the enactments relating to the constitution thereof which are in force at the commencement of this Act to do all things requisite for securing, in accordance with that Schedule, the election of such of the members of the Council as so reconstituted as are required by that Schedule to be elected, so as to enable them to come into office on the appointed day.

Training of Nurses

Area nurse-training committees.

2.—(1) The Minister shall by order constitute, in accordance with the Second Schedule to this Act, a committee (in this Act referred to as an "area nurse-training committee") for each hospital area; and before making an order under this subsection with respect to any such area the Minister shall consult with the Council.

(2) It shall be the duty of the area nurse-training committee for a hospital area—

(*a*) to have constant regard, as respects persons engaged in the area in the training of nurses, to the methods employed by those persons of training nurses;

(*b*) to promote, with a view to securing the improvement of methods employed in the area of training nurses, research and investigation into matters relating to the training of nurses, and to render to the Council reports of the results of research and investigation promoted by the committee;

(*c*) to advise and assist—

(i) Hospital Management Committees appointed by the Regional Hospital Board for the area;

(ii) Boards of Governors of teaching hospitals situated in the area; and

(iii) any other authority or person engaged in the area in the training of nurses who makes a request in that behalf to the committee;

in the preparation and carrying out of schemes for the training of nurses in accordance with any requirements of the Council for the time being in force with respect to the training to be undergone by persons as a condition of their admission to the register or the roll; and

(*d*) to advise and, if requested by the Council so to do, to assist the Council in matters relating to the approval by the Council, for the purposes of the training rules, of institutions situated in the area.

(3) An area nurse-training committee may, if authorised by the Council so to do, conduct on their behalf any examination prescribed by rules made by the Council under section three of the Act of 1919 or section two of the Act of 1943, or specified in a scheme adopted under the next following section.

(4) The supplementary provisions contained in the Second Schedule to this Act shall have effect with respect to area nurse-training committees.

Experimental training of nurses.

3.—(1) If the Council are of opinion that it would be advantageous that a trial should be made of a scheme of training and examinations to be undergone and passed by persons as a condition of their admission to the register or, as the case may be, the roll, being training and examinations differing from, but appearing to the Council to be no less efficient than, the training and examinations for the time being required by rules made by the Council to be so undergone and passed, they may, with the approval of the Minister, by resolution adopt the scheme for such period as may be specified in the resolution and in relation to such institutions situated in such hospital area as may be so specified, being institutions appearing to the Council to be suitable for the purpose of carrying out the scheme therein.

(2) A scheme of training and examinations adopted by a resolution of the Council under this section shall provide that, during the period for which it is so adopted, persons who undergo to the satisfaction of the Council, in an institution specified in the resolution adopting the scheme, the training specified in the scheme and who pass the examinations so specified shall, notwithstanding anything in any rules made by the Council, be entitled on making an application in that behalf to be admitted to the register or, as the case may be, the roll, and may contain such incidental and supplementary provisions (including provisions for charging fees in respect of the undergoing of examinations specified in the scheme) as appear to the Council to be requisite or expedient for the purposes of the scheme.

(3) The period for which a scheme of training and examinations is adopted under this section may from time to time be extended by resolution of the Council for such period as may be specified in the resolution.

Expenditure on nurse-training by Hospital Management Committees, &c.

4.—(1) Expenditure by a Hospital Management Committee appointed by the Regional Hospital Board for a hospital area and expenditure by the Board of Governors of a teaching hospital situated in a hospital area, being in each case expenditure—

(*a*) wholly or mainly for the purposes of, or in connection with, the training of nurses; and

(*b*) of such description as the Minister may specify for the purposes of this subsection;

shall, so far as it is incurred in accordance with estimates approved by the area nurse-training committee for the area, instead of being defrayed in accordance with section fifty-four of the National Health Service Act, 1946, be defrayed by that committee.

(2) Any question arising under the foregoing subsection whether expenditure is such as is mentioned in paragraph (*a*) thereof shall be determined by the Minister.

Contributions towards expenses of other persons in respect of nurse-training.

5. The area nurse-training committee for a hospital area may make to any authority or person engaged in the area in training nurses (not being a Hospital Management Committee or the Board of Governors of a teaching hospital) contributions towards the expenses incurred by that authority or person in, or in connection with, the training of nurses.

Expenses of area nurse-training committees.

6. All expenses incurred by an area nurse-training committee with the approval of the Council shall be defrayed by the Council.

Reference of disputes to the Council.

7. Any question arising between the area nurse-training committee for a hospital area and a Hospital Management Committee appointed by the Regional Hospital Board for the area or between the area nurse-training committee for a hospital area and the Board of Governors of a teaching hospital situated in the area, being a question relating to the discharge by the area nurse-training committee of their functions under this Act, shall, in default of agreement, be determined by the Council.

Miscellaneous Amendments

The finance committee.

8.—(1) The Council shall appoint a finance committee consisting of such number of persons, being members of the Council, as may be prescribed by rules made by the Council under subsection (1) of section three of the Act of 1919 and such persons

other than members of the Council (not exceeding two in number) as may be nominated by the Minister, after consultation with the Council, for appointment to the committee.

(2) The term of office of the members of the finance committee shall be such as may be prescribed as aforesaid.

(3) Any matter relating to the discharge by the Council of their functions with respect to the defraying of expenses incurred by area nurse-training committees shall stand referred to the finance committee and any other matter may be referred by the Council to that committee; and the committee shall consider the matter and report upon it to the Council, and the Council, before taking any action on the matter, shall, unless in the opinion of the Council the matter is urgent, receive and consider the report of the committee.

(4) The power of the Council under paragraph (*f*) of subsection (1) of section three of the Act of 1919 to make rules for authorising the delegation to committees of the powers of the Council and for regulating the proceedings (including quorum) of committees shall be exercisable in relation to the finance committee.

The Mental Nurses Committee.

9.—(1) On the expiration of the period of three months beginning with the appointed day or such longer period as the Minister may by order specify, there shall be established a Committee of the Council, to be called the Mental Nurses Committee, constituted in accordance with the Third Schedule to this Act.

(2) The following matters, namely,—

(*a*) any matter which wholly or mainly concerns registered mental nurses (other than a question whether a person shall be registered or shall be removed from or restored to the register or a matter arising out of any such question); and

(*b*) any matter relating to the training of persons for admission to the supplementary part of the register containing the names of nurses trained in the nursing and care of persons suffering from mental diseases;

shall stand referred to the Mental Nurses Committee, and any such question as aforesaid or matter arising thereout, and any other matter, may be referred by the Council to that Committee; and the Committee shall consider the matter and report upon it to the Council, and the Council, before taking any action on the matter, shall, unless in the opinion of the Council the matter is urgent, receive and consider the report of the Committee:

Provided that any matter which stands referred to the Mental Nurses Committee or is referred to them by the Council shall

be finally dealt with by the Committee on behalf of the Council if, and in so far as, the Council expressly authorise the Committee to deal finally with it, and the Committee shall make a report to the Council as to the way they have dealt with it.

(3) The Council may pay to the members of the Mental Nurses Committee sums (to be calculated in accordance with directions to be given by the Minister) in respect of any loss of earnings they would otherwise have made or any additional expenses (including travelling and subsistence expenses) to which they would not otherwise have been subject, being loss or expenses necessarily suffered or incurred by them for the purpose of enabling them to perform duties as members of the Mental Nurses Committee.

(4) The supplementary provisions contained in the Third Schedule to this Act shall have effect with respect to the Mental Nurses Committee and for the purposes of the establishment thereof.

Registration of nurses trained abroad.

10.—(1) A person who proves to the satisfaction of the Council that, in a country or territory outside the United Kingdom, he successfully completed his training either generally as a nurse or as a nurse of some special class in accordance with a scheme of training recognised by the Council as being satisfactory for the purposes of this subsection, that he underwent his training in an institution so recognised and that he is of good character shall, on making an application in the prescribed manner and on payment of such fee, if any, as may be prescribed, be entitled to be registered in the part of the register appearing to the Council to be appropriate to his case.

(2) If, in the case of a person who proves to the satisfaction of the Council that he successfully completed his training either generally as a nurse or as a nurse of some special class in a country or territory outside the United Kingdom but who is unable to prove that his training was in accordance with a scheme of training recognised by the Council as being satisfactory for the purposes of the foregoing subsection and that he underwent his training in an institution so recognised, the Council are of opinion that he could properly be registered after undergoing to their satisfaction such further training in the United Kingdom as may be specified by them and passing such examinations, if any, as may be so specified, they may, if they are satisfied that he is of good character, register him if, after undergoing the specified training in the United Kingdom to their satisfaction and passing any specified examinations, he makes, in the prescribed manner, an application in that behalf and pays such fee, if any, as may be prescribed.

(3) Subsections (1) and (2) of section six of the Act of 1919 (which provide for the registration of nurses registered in any part of His Majesty's dominions outside the United Kingdom) are hereby repealed.

Closing of parts of the register.

11.—(1) On the date on which rules made by the Council under section three of the Act of 1919 providing for the admission of male nurses to the general part of the register first come into operation, the supplementary part of the register containing the names of male nurses shall be amalgamated with the general part of the register.

(2) If, with respect to any part of the register (other than the general part or the part containing the names of male nurses), the Council at any time make a request in that behalf to the Minister, he may by order direct that, after such a date as may be specified in the order, no person shall be admitted to that part of the register.

(3) No request under the last foregoing subsection shall be made by the Council with respect to the supplementary part of the register containing the names of nurses trained in the nursing and care of persons suffering from mental diseases unless the Council are satisfied that means exist whereby members of the public can readily ascertain whether a registered nurse has been so trained, and no such request shall be so made with respect to the supplementary part of the register containing the names of nurses trained in the nursing of sick children unless the Council are satisfied that means exist whereby members of the public can readily ascertain whether a registered nurse has been so trained.

(4) Where a direction is given under subsection (2) of this section with respect to the supplementary part of the register containing the names of nurses trained in the nursing and care of persons suffering from mental diseases, the Minister, after consulting the Council, may by the order containing the direction or a subsequent order amend the First and Third Schedules to this Act to such extent as appears to him requisite or expedient in consequence of the giving of the direction, and where a direction is given under that subsection with respect to the supplementary part of the register containing the names of nurses trained in the nursing of sick children, the Minister, after consulting the Council, may by the order containing the direction or a subsequent order amend the said First Schedule to such extent as appears to him requisite or expedient in consequence of the giving of the direction.

(5) Nothing in this section shall affect the power of the Council to remove a person from, or restore a person to, the register.

Provisions relating to the approval of training institutions.

12.—(1) If the Council are of opinion that they would be justified in refusing to approve an institution for the purposes of the training rules or in withdrawing approval given by them for those purposes to an institution, they shall give to the persons responsible for the management of the institution a written notice of that fact, stating the grounds on which they have formed their opinion, and shall not proceed to a final determination of the question whether or not to refuse to approve the institution or to withdraw their approval thereof, as the case may be, until they have afforded to those persons an opportunity to make representations in writing to the Council and, if so required by those persons, to be heard by the Council.

(2) Any person aggrieved by the refusal of the Council to approve an institution for the purposes of the training rules or by the withdrawal of approval given by them for those purposes to an institution may, by notice in writing served on the Permanent Secretary to the Lord Chancellor before the expiration of the period of twenty-eight days beginning with the day on which notification of the determination of the Council to refuse or withdraw their approval, as the case may be, is received by the persons responsible for the management of the institution, appeal against the refusal or withdrawal, and, upon receipt of the notice, the Lord Chancellor shall nominate two persons, or more, to determine the matter of the appeal and the persons nominated shall, after considering the matter, give such directions therein to the Council as they think proper and the Council shall comply with them.

It shall be the duty of a person who serves a notice under this subsection on the Permanent Secretary to the Lord Chancellor to serve at the same time a copy thereof on the Council.

(3) The Lord Chancellor may pay to any person nominated by him under the last foregoing subsection such fees and allowances as the Lord Chancellor may, with the consent of the Treasury, determine; and any expenses incurred by the Lord Chancellor under this subsection shall be defrayed out of moneys provided by Parliament.

(4) Subsection (2) of section seven of the Act of 1919 and subsection (2) of section five of the Act of 1943 (which provide for an appeal to the Minister against such a refusal as aforesaid) are hereby repealed.

Fees and contributions in respect of training institutions.

13.—(1) The Council may charge the persons responsible for the management of institutions approved by the Council for the purposes of the training rules and the persons responsible for the management of institutions the approval whereof by the Council for those purposes is sought by them, not being, in either case, institutions vested in the Minister, such fees

respectively, by way of contribution towards the expenses of the Council in inspecting and approving institutions for those purposes, as may be prescribed.

(2) The Minister may make to the Council, out of moneys provided by Parliament, contributions of such amounts as he may determine towards the expenses of the Council in inspecting and approving for the purposes of the training rules institutions vested in him.

Admission to the register of persons included in the list, &c.

14.—(1) The Council shall make rules providing for the admission to the register, on payment of such fees (if any) as may be prescribed, of—

(*a*) persons whose names are included in the list; and

(*b*) persons, other than as aforesaid, who hold certificates issued by institutions which appear to the Council to be satisfactory for the purposes of this provision stating that they completed before the beginning of July, nineteen hundred and twenty-five, a course of training in nursing in the institution and who satisfy the Council that they are of good character and have adequate knowledge and experience of nursing.

(2) A person whose name is included in the list shall, on being admitted to the register, cease to be included in the list, and it shall be the duty of the Council to make the requisite alterations therein.

Registration, &c., fees.

15.—(1) There shall be paid to the Council by persons who, on such dates as may respectively be specified in relation to the register and the roll by rules made for the purposes of this subsection by the Council, are registered or enrolled, as the case may be, or whose names are, on such date as may be specified in relation to the list by rules so made, included in the list, such fees in respect of the retention without limit of time of their names on the register, the roll or the list, as the case may be, as may be prescribed by rules so made, and after the dates respectively specified in relation to the register, the roll and the list by virtue of this subsection no annual fee shall be payable by any person under section five of the Act of 1919, section four of the Act of 1943 or the Second Schedule to the Act of 1943, as the case may be, in respect of the retention of his name on the register, the roll or the list, as the case may be.

(2) Rules may be made by the Council providing for the payment, on the restoration to the register, the roll or the list after the dates respectively specified in relation thereto by virtue of the foregoing subsection of persons other than those falling within that subsection, of such fees in respect of the retention without limit of time of their names on the register, the roll or the list, as the case may be, as may be prescribed by the rules.

(3) Rules made under subsection (1) or (2) of this section may prescribe different fees in relation to the register, the roll and the list, and rules so made in relation to the register, the roll or the list may prescribe different fees in relation to different circumstances.

(4) Nothing in this section shall affect the power of the Council to remove a person from the register, the roll or the list.

Information with respect to nurses.

16.—(1) Copies of the register, the roll and the list shall be kept at the office of the Council and shall be open to the inspection of any person without charge during usual business hours.

(2) The Council shall cease to be under an obligation to publish the register, the roll and the list, but it shall be their duty to publish in relation to successive periods, in such manner as the Minister may direct, lists of persons who have been admitted to, removed from or restored to the register, the roll or the list during those periods.

The first of such lists shall be published as soon as may be after the commencement of this Act and succeeding lists shall be published at intervals of not more than twelve months.

Penalization of acts falsely implying inclusion in the list.

17. Any person who, not being a person whose name is included in the list, takes or uses any name, title, addition or description implying that his name is so included shall be liable on summary conviction to a fine not exceeding, in the case of a first offence, ten pounds, and, in the case of a second or subsequent offence, fifty pounds.

Allowances to members of the Council and the Assistant Nurses Committee.

18. The Council may pay to the members thereof and to the members of the Assistant Nurses Committee sums (to be calculated in accordance with directions to be given by the Minister) in respect of any loss of earnings they would otherwise have made or any additional expenses (including travelling and subsistence expenses) to which they would not otherwise have been subject, being loss or expenses necessarily suffered or incurred by them for the purpose of enabling them to perform duties as members of the Council or of the Assistant Nurses Committee, as the case may be.

Membership of the Council, &c., not to involve Parliamentary disqualification.

19. A member of the Council, the Assistant Nurses Committee, the Mental Nurses Committee, an area nurse-training committee or a sub-committee of an area nurse-training committee shall not, by reason of his membership, be rendered incapable of being elected, or of sitting and voting, as a member of the House of Commons.

Supplementary Provisions

Rules and orders.

20.—(1) The Council may make rules prescribing anything which by this Act is required or authorised to be prescribed.

(2) Rules made by the Council under this Act shall not come into operation unless and until they are approved by the Minister.

(3) The power conferred on the Minister by this section and any power to make an order conferred on him by this Act shall be exercisable by statutory instrument.

(4) A statutory instrument by which the power conferred on the Minister by this section is exercised and a statutory instrument containing an order made under the foregoing provisions of this Act or the Second Schedule thereto shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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

Expenses of the Council.

21. All expenses incurred by the Council with the approval of the Minister which are attributable to defraying expenditure incurred by area nurse-training committees (other than expenditure incurred by such committees in conducting examinations on behalf of the Council) shall be defrayed by the Minister out of moneys provided by Parliament, and all other expenses incurred by the Council under this Act and all expenses incurred by them under the Acts of 1919 and 1943 shall be defrayed by the Council.

Reports to the Minister.

22. The Council shall annually, at such date as the Minister may direct, make to the Minister a report as to the discharge by them during the preceding year of their functions with respect to the training of nurses, and the Minister shall lay every such report before Parliament.

Interpretation.

23.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

"the Act of 1919" means the Nurses Registration Act, 1919;

"the Act of 1943" means the Nurses Act, 1943;

"the appointed day" means the first day of January, nineteen hundred and fifty-one or such earlier day as the Minister may by order appoint;

" area nurse-training committee " means a committee constituted by an order of the Minister under subsection (1) of section two of this Act;

" Board of Governors ", in relation to a teaching hospital, means a Board of Governors constituted by an order of the Minister under subsection (8) of section eleven of the National Health Service Act, 1946, for the purpose of exercising functions with respect to the administration of that hospital;

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

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

" hospital " has the same meaning as in the National Health Service Act, 1946;

" hospital area " means an area for which a Regional Hospital Board is for the time being constituted under subsection (1) of section eleven of the National Health Service Act, 1946;

" the list " means the list of nurses kept by the Council under section eighteen of the Act of 1943;

" local education authority " has the same meaning as in the Education Act, 1944;

" mental hospital " means a mental hospital for the purposes of the Lunacy and Mental Treatment Acts, 1890 to 1930;

" the Minister " means the Minister of Health;

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

" prescribed " means prescribed by rules made by the Council under this Act;

" the register " means the register of nurses established under the Act of 1919, and " registered " shall be construed accordingly;

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

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

" the roll " means the roll of assistant nurses established under Part I of the Act of 1943, and " enrolled " shall be construed accordingly;

" teaching hospital " means a hospital or group of hospitals designated by the Minister as a teaching hospital by an order in force under Part II of the National Health Service Act, 1946;

" the training rules " means rules relating to training made by the Council under section three of the Act of 1919 or section two of the Act of 1943.

(2) For the purposes of this Act, a teaching hospital which consists of a group of hospitals which are situated in two or more hospital areas shall be deemed to be situated in such one of those areas as the Minister may direct.

Short title, citation, extent and repeal.

24.—(1) This Act may be cited as the Nurses Act, 1949, and the Nurses Acts, 1919 to 1945, and this Act may be cited together as the Nurses Acts, 1919 to 1949.

(2) This Act shall not extend to Scotland or Northern Ireland.

(3) The enactments mentioned in the first and second columns of the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

SCHEDULES

FIRST SCHEDULE

Sections 1, 11.

THE GENERAL NURSING COUNCIL FOR ENGLAND AND WALES

New Constitution of the Council

1. The Council shall consist of—

(*a*) seventeen persons elected as hereinafter mentioned;

(*b*) twelve persons appointed by the Minister;

(*c*) three persons appointed by the Minister of Education; and

(*d*) two persons appointed by the Privy Council, of whom one shall be appointed to represent universities in England and Wales.

2.—(1) Of the elected members of the Council—

(*a*) fourteen, who shall be nurses registered in the general part of the register or the supplementary part of the register containing the names of male nurses, shall be elected by persons (hereinafter referred to as " the general electors ") who, on the date of the election, are registered elsewhere than in the supplementary parts of the register containing the names of nurses trained in the nursing and care of persons suffering from mental diseases and the names of nurses trained in the nursing of sick children (whether or not they are also registered in either or both of those parts);

(*b*) two shall be registered mental nurses (of whom one shall be a man and the other a woman) elected by persons who, on the date of the election, are registered mental nurses; and

(*c*) one shall be a registered sick children's nurse elected by persons who, on the date of the election, are registered sick children's nurses.

(2) For the purposes of the election of the fourteen nurses mentioned in head (*a*) of the foregoing sub-paragraph, England and Wales shall be divided into fourteen areas determined by the Minister, one of those nurses shall be elected for each area and each of those nurses shall, on the date of the election, be engaged, in the area for which he is elected, in nursing or in other work for which the employment of a registered nurse is requisite or for which a registered nurse is commonly employed.

3. Of the members of the Council appointed by the Minister—

(*a*) two shall be registered nurses employed in services provided under Part III of the National Health Service Act, 1946, appointed by him after consultation with such persons and bodies as he thinks fit, being persons and bodies having special knowledge and experience of the work of nurses so employed;

(*b*) two shall be persons holding certificates given by virtue of section fourteen of the Act of 1943 (which provides for the giving of certificates to persons trained in the teaching of nursing) appointed by him after consultation with such persons and bodies as he thinks fit, being persons and bodies having special knowledge and experience of the work of persons engaged in the teaching of nursing;

(*c*) one shall be a male nurse, whose name is included in the general part of the register or the supplementary part containing the names of male nurses, appointed by him after consultation with such persons and bodies as he thinks fit, being persons and bodies having special knowledge and experience of the work of male nurses whose names are so included;

(*d*) one shall be a registered nurse in charge of a ward in a hospital which is an institution approved by the Council for the purposes of the training rules, being a nurse whose name is included in the general part of the register, appointed by him after consultation with such persons and bodies as he thinks fit, being persons and bodies having special knowledge and experience of the work of nurses in charge of wards in hospitals; and

(*e*) three shall be persons appearing to him to have had experience of the control and management of hospitals.

Supplementary Provisions

4. The members of the Council required by the foregoing provisions of this Schedule to be elected shall be elected in accordance with the prescribed scheme and in the prescribed manner, and the said scheme may provide that the system in accordance with which the election of the fourteen nurses mentioned in head (*a*) of sub-paragraph (1) of paragraph 2 of this Schedule shall be conducted shall be either—

(*a*) by way of assigning to each of the general electors one vote in respect of each of the areas into which England and Wales is divided under sub-paragraph (2) of that paragraph; or

1ST SCH. —*cont.*

(*b*) by way of assigning to each of the general electors a single vote in respect of that one of those areas that is determined in accordance with the scheme to be, in his case, the area at the election wherefor of a member of the Council it is appropriate for him to vote.

5. The members of the Council shall hold office for a term of five years :

Provided that the first members appointed as mentioned in sub-paragraphs (*b*) to (*d*) of paragraph 1 of this Schedule shall hold office for a term of three years.

6.—(1) If the place of a member of the Council becomes vacant before the expiration of his term of office whether by death, resignation or otherwise, the vacancy shall, if the member was appointed by the Minister, the Minister of Education or the Privy Council, be filled by a person appointed by the Minister, the Minister of Education or the Privy Council, as the case may be, and in any other case shall be filled by a person appointed by the Council.

(2) A person appointed to fill a vacancy occurring in the place of a member that was originally filled by a nurse elected for one of the areas into which England and Wales is divided under sub-paragraph (2) of paragraph 2 of this Schedule shall be a person who would be qualified for election for that area if an election were to take place on the date on which he is appointed, and a person appointed to fill any other vacancy shall, if the place vacant was originally filled by a person required by the foregoing provisions of this Schedule to be a person of a particular class, himself be a person of that class.

(3) A person appointed to fill a casual vacancy shall hold office only so long as the member in whose stead he is appointed would have held office.

7. A person ceasing to be a member of the Council shall be eligible for re-appointment or re-election.

8. The Council may enter into such agreements, acquire such property and do such things, as may in the opinion of the Council be necessary or desirable for the exercise or performance of any of their powers or duties, and may dispose as they think fit of any property acquired by them.

9. The powers of the Council may be exercised notwithstanding a vacancy in their number.

SECOND SCHEDULE

Sections 2, 20.

AREA NURSE-TRAINING COMMITTEES

Constitution of Area Nurse-Training Committees

1. The area nurse-training committee for a hospital area shall consist of such number of persons of each of the following classes as may be specified in the order constituting the committee, that is to say,—

(*a*) persons appointed by the Regional Hospital Board for the area;

(*b*) persons appointed by Boards of Governors of teaching hospitals situated in the area;

(*c*) persons appointed by the Council;

(*d*) persons appointed by the Central Midwives Board;

(*e*) persons appointed by the Minister after consultation with the local health authorities in the area;

(*f*) persons appointed by the Minister after consultation with the local education authorities in the area; and

(*g*) persons appointed by the Minister after consultation with such universities as he thinks fit ;

and the said order may contain provisions with respect to the qualifications of members of the committee.

Supplementary Provisions

2. The Minister may by order make provision—

(*a*) with respect to the appointment, tenure of office and vacation of office of the members of the area nurse-training committee for a hospital area;

(*b*) with respect to the appointment of sub-committees of such a committee consisting wholly or partly of the members thereof and the delegation of functions to such sub-committees;

(*c*) for the making by such a committee to the members thereof and to the members of any sub-committee thereof of such payments as may be specified in the order in respect of any loss of earnings they would otherwise have made or any additional expenses (including travelling and subsistence expenses) to which they would not otherwise have been subject, being loss or expenses necessarily suffered or incurred by them for the purpose of enabling them to perform duties as members of the committee or sub-committee, as the case may be;

(*d*) with respect to the keeping of accounts of sums received and expended by such a committee and the making up and audit of those accounts and the times at which and the form in which estimates of their expenditure are to be submitted by them to the Council; and

(*e*) with respect to the procedure (including quorum) of such a committee.

3. It shall be the duty of the Regional Hospital Board for a hospital area to take, so soon as may be after the constitution of the area nurse-training committee for that area, the requisite steps to convoke the committee for the first meeting thereof.

4.—(1) It shall be the duty of the Regional Hospital Board for a hospital area to provide the area nurse-training committee for that area, on such terms as may, in default of agreement, be determined by the Minister, with the services of such of the officers and servants of the Board and with such office accommodation as the committee may reasonably require.

2ND SCH. —*cont.*

(2) Without prejudice to the foregoing sub-paragraph, an area nurse-training committee may, with the consent of the Minister, themselves employ officers and servants and may pay officers and servants employed by them such remuneration as they may determine.

(3) Any dispute arising under sub-paragraph (1) of this paragraph as to the reasonableness of any requirement shall be determined by the Minister.

5. The chairman of an area nurse-training committee shall be such one of the members thereof as may be selected by the committee.

6. The powers of an area nurse-training committee may be exercised notwithstanding a vacancy in their number.

THIRD SCHEDULE

Sections 9, 11.

THE MENTAL NURSES COMMITTEE

Constitution of the Mental Nurses Committee

1.—(1) The Mental Nurses Committee shall consist of twelve persons, of whom—

(*a*) six shall be members of the Council appointed by the Council;

(*b*) two shall be registered mental nurses elected by persons who, on the date of the election, are registered mental nurses; and

(*c*) four shall be appointed by the Minister.

(2) Of the members appointed by the Council, two shall be the registered mental nurses elected to membership thereof by registered mental nurses.

(3) The members appointed by the Minister shall respectively be a matron of a mental hospital which is an institution approved by the Council for the purposes of the training rules, a registered mental nurse engaged in the teaching of the nursing and care of persons suffering from mental diseases, a registered medical practitioner engaged in the teaching of psychiatry and a chief male nurse of such a mental hospital as aforesaid, and the appointment of each of those persons shall be made by the Minister after consultation with such persons and bodies as he thinks fit, being persons and bodies having special knowledge and experience of the work of persons of the class to which the person to be appointed belongs.

Supplementary Provisions

2. The members of the Mental Nurses Committee required by the foregoing provisions of this Schedule to be elected shall be elected in accordance with the prescribed scheme and in the prescribed manner.

3. The members of the Mental Nurses Committee shall hold office for a term of five years.

4.—(1) If the place of a member of the Mental Nurses Committee becomes vacant before the expiration of his term of office, whether by death, resignation or otherwise, the vacancy shall, if the member was appointed by the Minister, be filled by a person appointed by the Minister, and, in any other case, shall be filled by a person appointed by the Council.

3RD SCH. —*cont.*

(2) Where a vacancy occurs in the place of a member that was originally filled by a registered mental nurse elected to membership of the Council by registered mental nurses, the person appointed to fill the vacancy shall be the person appointed to fill the corresponding vacancy on the Council, and a person appointed to fill any other vacancy shall possess the same qualification as that by virtue whereof the person who originally filled the place vacant was qualified for appointment or election under paragraph 1 of this Schedule.

(3) A person appointed to fill a casual vacancy shall hold office only so long as the member in whose stead he is appointed would have held office.

5. A person ceasing to be a member of the Mental Nurses Committee shall be eligible for re-appointment or re-election.

6. The powers of the Mental Nurses Committee may be exercised notwithstanding a vacancy in their number.

7. The chairman of the Mental Nurses Committee shall be such one of the members of the Committee who are members of the Council as may be selected by the Committee.

8. The quorum of the Mental Nurses Committee shall be four.

9 The Mental Nurses Committee may, with the approval of the Council, make standing orders regulating the summoning of meetings of the Committee and the proceedings of the Committee.

FOURTH SCHEDULE

ENACTMENTS REPEALED

Section 24.

Session and Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 5. c. 94.	The Nurses Registration Act, 1919.	As from the appointed day, in section one, subsection (2). As from the date of the first coming into operation of such rules as are referred to in subsection (1) of section eleven of this Act, in section two, in subsection (2), paragraph (*b*). In section three, in subsection (1), in paragraph (*a*), the words " and publication ". In section four, subsection (3). As from the date specified in relation to the register by rules made under subsection (1) of section fifteen of this Act, in section five, in subsection (1), the words " and in respect of the retention in any year of the name of any person on the register " and the proviso. In section six, subsections (1) and (2). In section seven, subsection (2). As from the appointed day, the Schedule.

4TH SCH. —*cont.*

Session and Chapter	Short Title	Extent of Repeal
6 & 7 Geo. 6. c. 17.	The Nurses Act, 1943 ...	In section two, in subsection (1), in paragraph (*a*), the words " and publication ". In section three, subsection (3). As from the date specified in relation to the roll by rules made under subsection (1) of section fifteen of this Act, in section four, in subsection (1), the words " and in respect of the retention in any year of the name of any person on the roll " and the proviso. In section five, subsection (2). Section nineteen. In the Second Schedule, in paragraph 3, the words " printed and published as "; and, as from the date specified in relation to the list by rules made under subsection (1) of section fifteen of this Act, the words " retention or ".

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Nurses Registration Act, 1919	9 & 10 Geo. 5. c. 94.
Nurses Act, 1943	6 & 7 Geo. 6. c. 17.
Education Act, 1944	7 & 8 Geo. 6. c. 31.
National Health Service Act, 1946	9 & 10 Geo. 6. c. 81.

CHAPTER 74

Coast Protection Act, 1949

ARRANGEMENT OF SECTIONS

PART I

COAST PROTECTION

Coast protection authorities

Section
1. Coast protection authorities.
2. Constitution of coast protection boards.
3. Appointment of joint committees.

Execution of coast protection work

4. General powers of coast protection authorities.
5. Objections to, and approval of, proposals to carry out coast protection work.
6. Power to make schemes for carrying out work.
7. Works schemes providing for coast protection charges.