(*b*) for the proviso to paragraph 3 there shall be substituted the following proviso:—

"Provided that where the member orders and pays for lunch or dinner on a train or boat the above rates shall be respectively increased to 8s. 6d. and 15s. 6d.; or where lunch and dinner are both so ordered and paid for during an absence exceeding eight hours, the rate of 12s. shall be increased to 17s. 6d."

Dated this 2nd day of December, 1959.

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

St. Andrew's House,
Edinburgh, 1.

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EXPLANATORY NOTE

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

This Order increases the maximum allowances which may be made to members of Regional Nurse-Training Committees in respect of overnight absences from home or place of business and in respect of meals ordered and paid for on a train or boat.

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## 1959 No. 1321 (S. 77)

## The Nurses (Scotland) Regulations, 1959

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| *Made* - - - - | *27th July*, 1959 |
| *Laid before Parliament* | *31st July*, 1959 |
| *Coming into Operation* | *1st August*, 1959 |

The Secretary of State, in exercise of the powers conferred on him by proviso (*b*) to subsection (2) of section 12 of the Nurses (Scotland) Act, 1951(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

**1.**—(1) These regulations may be cited as the Nurses (Scotland) Regulations, 1959, and shall come into operation on the 1st day of August, 1959.

(2) The Interpretation Act, 1889(**b**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(3) The regulations specified in the Schedule to these regulations are hereby revoked and references in any other regulations to the regulations revoked by these regulations or to any provision thereof shall be construed as references to these regulations or to the corresponding provision thereof, as the case may be.

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(a) 14 & 15 Geo. 6. c. 55. (b) 52 & 53 Vict. c. 63.

**2.**—(1) Subject to the provisions of these regulations, a person who is not a registered nurse or an enrolled assistant nurse may—

(*a*) if the person, being under the age of 21, has received intimation from the General Nursing Council for Scotland that he or she having passed the final examination for admission to the general part of the register cannot, because of his or her age, be admitted to the register, use the name or title of " trained nurse " ;

(*b*) if the the person, being under the age of 21, has received intimation from the General Nursing Council for Scotland that he or she having passed the final examination for admission to some part of the register other than the general part cannot because of his or her age be admitted to that part of the register, use in relation to himself or herself any expression containing the words " trained nurse " which sufficiently indicates that he or she is otherwise qualified for admission to that part ;

(*c*) if the person, being under the age of 20, has received intimation from the General Nursing Council for Scotland that he or she having passed the examination for admission to the roll of assistant nurses cannot because of his or her age be admitted to the roll, use the name or title of " trained assistant nurse " ;

(*d*) if the person—

(i) is certified under the Midwives (Scotland) Act, 1951(**a**), or,

(ii) is a woman who before the first day of January, 1938, was certified by the authorities of a hospital or other institution to which the Secretary of State has by order applied proviso (*c*) to subsection (1) of section 11 of the Midwives (Scotland) Act, 1951, to have been trained in obstetric nursing,

use the name or title " maternity nurse " :

Provided that a woman shall not use that name or title by virtue of (ii) of this sub-paragraph in the area of a local supervising authority within the meaning of section 17 of the said last mentioned Act unless she has given to that authority the notice required by proviso (*c*) to the said subsection ;

(*e*) if the person is undergoing training for admission to the register, use the name or title of " student nurse " ;

(*f*) if the person is undergoing training for admission to the roll, use the name or title of " pupil assistant nurse " ;

(*g*) if the person—

(i) is for the time being employed in nursing persons suffering from mental disabilities in any mental hospital, any institution or certified house within the meaning of the Mental Deficiency and Lunacy (Scotland) Act, 1913(**b**), or

(ii) holds the certificate of proficiency in mental nursing or the certificate of proficiency in the nursing of mental defectives granted by the Royal Medico-Psychological Association,

use in relation to himself or herself any expression containing the words " nurse " which sufficiently indicates that he or she is a nurse, only of patients suffering from mental disabilities ;

(a) 14 & 15 Geo. 6. c. 54. (b) 3 & 4 Geo. 5. c. 38.

(*h*) if the person holds the tuberculosis nursing certificate granted by the British Tuberculosis Association, or is in training for that certificate, use in relation to himself or herself any expression containing the word " nurse " which sufficiently indicates that he or she is a nurse or, as the case may be, in training to become a nurse, of tuberculosis patients only ;

(*i*) if the person holds the orthopaedic nursing certificate granted by the Central Council for the Care of Cripples or the Joint Examination Board of the British Orthopaedic Association and the said Central Council, or is in training for that certificate, use in relation to himself or herself any expression containing the word " nurse " which sufficiently indicates that he or she is a nurse or, as the case may be, in training to become a nurse, only of persons suffering from some orthopaedic disability ;

(*j*) if the person has, in a country or territory other than Scotland, successfully completed his or her training as a nurse in accordance with a scheme of training in force in that country or territory, use in relation to himself or herself any expression containing the word " nurse " which sufficiently indicates the country or territory in which his or her training was received ;

(*k*) if, being a person who is serving in Her Majesty's military or air forces (otherwise than as a member of the army reserve or the air force reserve not for the time being called out on permanent service or as a member of the territorial army or auxiliary air force not for the time being embodied), he or she is qualified therein as a trained nurse, use the name or title of " trained nurse " ;

(*l*) if, being a person—

(i) who has at any time been entitled under the preceding sub-paragraph to use the name or title of " trained nurse ", or would at any time have been so entitled if these regulations, or the regulations revoked by these regulations had then been in force, or,

(ii) who has, while serving in Her Majesty's naval forces, passed for leading sick berth attendant,

he or she is no longer serving in Her Majesty's forces (otherwise than as aforesaid or as a member of a naval reserve force not for the time being called out for service or called into actual service), use the name or title of " service-trained nurse " ;

(*m*) if, being a person to whom none of the preceding sub-paragraphs of this paragraph applies, he or she is a person to whom any provision of regulations made under proviso (*b*) to subsection (1) of section 28 of the Nurses Act, 1957(**a**), or under proviso (*b*) to subsection (1) of section 6 of the Nurses Act (Northern Ireland), 1946(**b**), applies, use any name or title, or use in relation to himself or herself any expression containing the word " nurse ", which he or she would be authorised to use if that provision extended to Scotland.

(2) Nothing in these regulations shall entitle a person who is not a registered nurse or an enrolled assistant nurse to use in relation to himself

(a) 5 & 6 Eliz. 2. c. 15. (b) 1946. c. 15 (N.I.).

or herself any expression which contains the word " registered " or the word " enrolled ".

Dated this 27th day of July, 1959.

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

St. Andrew's House,
Edinburgh, 1.

SCHEDULE

The Nurses (Scotland) Regulations, 1945(a).

The Nurses (Scotland) (No. 2) Regulations, 1945(b).

The Nurses (Scotland) Amendment Regulations, 1946(c).

The Nurses (Scotland) Amendment (No. 2) Regulations, 1946(d).

The Nurses (Scotland) Regulations, 1947(e) (Regulation 2 only).

EXPLANATORY NOTE

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

These regulations consolidate, with minor amendments the Nurses (Scotland) Regulations, 1945, (as amended). The main amendment (Regulation 2 (1) (*j*)) enables persons trained as nurses outside Scotland to use in relation to themselves any expression containing the word " nurse " which sufficiently indicates the country or territory in which their training was received without having their names placed on the list formerly kept by the Secretary of State.

## 1959 No. 162

## The Midwives (Amendment) Rules, Approval Instrument, 1959

*Made - - - -* *28th January,* 1959

Whereas the Central Midwives Board have, in pursuance of their powers under the Midwives Act, 1951(f), made rules amending the Midwives Rules, 1955(g), and the said rules are set out in the schedule to this instrument;

And whereas the Executive Committee of the General Medical Council have not made any representations with respect to the said rules;

Now, therefore, the Minister of Health, in exercise of his powers under section 30 of the Midwives Act, 1951, and of all other powers enabling him in that behalf, hereby approves the said rules.

This instrument may be cited as the Midwives (Amendment) Rules, Approval Instrument, 1959.

(a) S.R. & O. 1945/653 (Rev. XVI, p. 1082: 1945 I, p. 907).
(b) S.R. & O. 1945/1439 (Rev. XVI, p. 1085: 1945 I, p. 910).
(c) S.R. & O. 1946/1144 (Rev. XVI, p. 1082: 1946 I, p. 1184).
(d) S.R. & O. 1946/1897 (Rev. XVI, p. 1085: 1946 I, p. 1185).
(e) S.R. & O. 1947/389 (Rev. XVI, p. 1086: 1947 I, p. 1526).
(f) 14 & 15 Geo. 6. c. 53.
(g) Schedule to S.I. 1955/120 (1955 I, p. 1145).