

PARLIAMENT OFFICE,  
Public Buildings,  
Georgetown,  
Guyana.  
15th December, 1976.

The following Bill which will be introduced in the National Assembly is published for general information.

*F. A. Narain,*  
Clerk of the National Assembly.



## GUYANA

BILL No. 20 of 1976

NURSES AND MIDWIVES REGISTRATION (AMENDMENT) BILL 1976

### ARRANGEMENT OF SECTIONS

#### SECTION

1. Short title.
2. Insertion of section 5A in the Principal Ordinance.
3. Substitution of new schedule for schedule to the Principal Ordinance.
4. Consequential amendment of the Nurses and Midwives Rules 1954 and the General Nursing Council (Election) Rules 1955.
5. Transitional provisions.

## A BILL

## Intituled

AN ACT to amend the Nurses and Midwives Registration Ordinance and to make consequential amendments to other laws.

A.D. 1976 Enacted by the Parliament of Guyana:—

Short title.  
Cap. 137

1. This Act, which amends the Nurses and Midwives Registration Ordinance, may be cited as the Nurses and Midwives Registration (Amendment) Act 1976.

Insertion  
of section  
5A in the  
Principal  
Ordinance.

2. The Principal Ordinance is hereby amended by the insertion of the following section immediately after section 5 as section 5A —

“Power of Minister to give directions to the Council.  
5A(1) The Minister, after consultation with the Council, may give to the Council directions of a general character as to the policy to be followed by the Council in the exercise and performance of their functions and the Council shall give effect to the directions.

(2) If the Council fail or refuse to give effect to any such direction, the Minister may take such measures as he thinks fit for the purpose of giving effect to the direction, including modifying or varying any decision of the Council or substituting his decision for any decision of the Council, and any direction to which effect is given by the Minister under this section shall have effect as a decision of the Council.”

Substitution  
of new  
Schedule for  
schedule to  
the Principal  
Ordinance.

3. The Principal Ordinance is hereby amended by the substitution of the following schedule for the schedule thereto—

## “SCHEDULE

## Constitution of the Council

1. The Council shall consist of the following fifteen persons as members —

- (a) the Principal Nursing Officer, who shall be the Chairman;
  - (b) six persons appointed by the Minister; and
  - (c) four nurses representing nurses who are registered in the general part of the register and nurses who are registered in the supplementary part thereof, three midwives (not being nurses registered in the general or supplementary part of the register) registered in that part of the register containing the names of midwives, and one practical nurse who is registered in that part of the register, containing the names of practical nurses, elected in the manner prescribed in relation to that part of the register in which they are registered by the persons registered in the said part, or otherwise as may be prescribed in the case of any class of persons registered.
2. The term of a office of a member of the Council appointed or elected pursuant to paragraph 1(b) or 1(c), as the case may be, shall be three years.
  3. Where a member of the Council elected pursuant to paragraph 1(c) is unable to perform the functions of that office by reason of absence, illness or other cause, the Council may appoint a person who is registered, being a person representative of the same interests as those represented by the member who is unable to perform those functions, to act temporarily in the place of that member.
  4. Where a vacancy occurs in the office of a member elected pursuant to paragraph 1(c), whether by reason of death, resignation or other cause, the vacancy shall be filled in accordance with rules made by the Council for that purpose under section 4 and the person so elected shall hold office for the unexpired portion of the term of office of that person's predecessor.
  5. Any person who ceases to be a member of the Council shall be eligible to be re-appointed or re-elected, as the case may be, as a member of the Council.

6. The Council may co-opt any one or more persons to attend meetings of the Council for the purpose of advising or assisting the Council on any matter engaging the attention of the Council, but no such person shall have any right to vote.”.

Consequen-  
tial amend-  
ment of the  
Nurses and  
Midwives  
Rules 1954  
and the  
General  
Nursing  
Council  
(Election)  
Rules 1955.

4.(1) The Nurses and Midwives Rules 1954 are hereby amended in the following respects —

- (a) by the revocation of rules 29 and 30 and the substitution of the following rules therefor, respectively —

“29. At the ordinary meeting of the Council held in January in each year the Council shall elect from among their number a Vice-Chairman who shall, subject to rule 30, hold office until a Vice-Chairman is appointed by the Council at their ordinary meeting in January in the next ensuing year.

30. If the office of Vice-Chairman becomes vacant during any year, the Council shall, at such subsequent meeting of the Council as may be convenient, elect a member of the Council to fill the vacancy and the member so elected shall hold the office of Vice-Chairman for the unexpired portion of his predecessor’s term of office.”;

- (b) by the deletion of the words “Chairman or” from rule 31.

(2) The General Nursing Council (Election) Rules 1955 are hereby amended in the following respects —

- (a) by the substitution of the following paragraph for paragraph (2) of rule 2 —

“(2) Any person who is registered may nominate for election to the Council a person who is registered in the same part of the register in which the first-mentioned person is registered and, for the purposes of these Rules, the general and supplementary parts of the register shall be treated as one part.”;

- (b) by the substitution of the following paragraph for paragraph (1) of rule 4 —

"(1) Where more than one person has accepted nomination, the Registrar shall by registered letter notify all persons who are registered in the same part of the register in which the persons nominated are registered and who are entitled to vote of the date and place of election and the names of the candidates who have accepted nomination:  
Provided that —

- (a) a person who is registered in the general part of the register as well as in that part of the register containing the names of midwives shall be entitled to vote only in respect of the general part of the register and to receive the appropriate voting paper in accordance with paragraph (2);
- (b) failure to send such notice shall not render an election void and a person who is entitled to vote may do so notwithstanding that he has not received a notice under this rule."

5.(1) All acts done under the Principal Ordinance prior to the enactment of this Act in relation to the holding of the election of the members of the General Nursing Council (hereinafter referred to as "the Council") to assume office in January 1977 are hereby declared to be null and void and to be of no effect and the Council in office at the time of the enactment of this Act and the Registrar of the Council shall forthwith take all necessary action for the purpose of holding the election of members of the Council under the provisions of the Principal Ordinance as amended by this Act. Transitional provisions

(2) The members of the Council holding office at the time of the enactment of this Act shall continue in office until the members of the Council elected at the first election held after the commencement of this Act assume office at the ordinary meeting of the Council to be held in January or February 1977, and the members of the Council so elected shall, subject to the

Principal Ordinance, vacate office on the expiration of 31st December 1979.

(3) If the Council in office at the commencement of this Act or the Registrar shall fail or refuse or neglect to comply with subsection (1) or any requirement of the Principal Ordinance as amended by this Act for the purpose of holding the said election, the Minister may appoint any person for that purpose and any person so appointed shall have and may exercise all or any of the powers of the Council or the Registrar, as the case may be, in relation to and for the purpose of holding the election.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nurses and Midwives Registration Ordinance (Chapter 137 of the 1953 ed. of the Laws of Guyana) for the purpose of reconstituting the General Nursing Council with a view to ensuring that the elected members of the Council are more representative of the categories of registered nurses.

The Bill also seeks to enable the Minister responsible for health to give directions of a general nature to the Council in the exercise of their functions.

*O. M. R. Harner*  
Minister of Health.

(Bill No. 20/1976)