1973. No. 34 **[C]**

NURSES AND MIDWIVES

Northern Ireland Council for Nurses and Midwives (Election) Rules 1973 Approval Order

ORDER, DATED 12TH FEBRUARY 1973, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTION 52 OF THE NURSES AND MIDWIVES ACT (NORTHERN IRELAND) 1970.

WHEREAS the Northern Ireland Council for Nurses and Midwives has, in exercise of its powers under section 52 and sub-paragraph (3) of paragraph 3 of Schedule 1 to the Nurses and Midwives Act (Northern Ireland) 1970(**a**) made the Northern Ireland Council for Nurses and Midwives (Election) Rules 1973 and has submitted them to the Ministry of Health and Social Services (in this Order referred to as "the Ministry") for approval:

NOW, THEREFORE, the Ministry on behalf of the Secretary of State and in exercise of the powers conferred on it by section 52 of the Nurses and Midwives Act (Northern Ireland) 1970 and of every other power enabling it in that behalf, hereby makes the following Order:

1. This Order may be cited as the Northern Ireland Council for Nurses and Midwives (Election) Rules (Northern Ireland) 1973 Approval Order (Northern Ireland) 1973.

2. The Ministry hereby approves the said Rules in the form set out in the Schedule.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 12th day of February 1973.

(L.S.) *F. A. Elliott,*
Assistant Secretary.

(a) 1970. c. 11 (N.I.).

SCHEDULE

THE NORTHERN IRELAND COUNCIL FOR NURSES AND MIDWIVES NURSES AND MIDWIVES ACT (NORTHERN IRELAND) 1970

The Northern Ireland Council for Nurses and Midwives, in exercise of its powers under section 52 and sub-paragraph (3) of paragraph 3 of Schedule 1 to the Nurses and Midwives Act (Northern Ireland) 1970, hereby makes the following rules:—

1. These Rules may be cited as the Northern Ireland Council for Nurses and Midwives (Election) Rules 1973.

2. The members of the Northern Ireland Council for Nurses and Midwives who are required by the provision of the First Schedule to the Nurses and Midwives Act (Northern Ireland) 1970, to be elected, shall be elected in accordance with the schedule to these Rules.

SCHEDULE TO THE RULES

Interpretation

1. Unless the context otherwise requires, expressions used in these Rules have the same meanings as in the Nurses and Midwives Act (Northern Ireland) 1970.

Returning Officer

2.—(1) The Council shall at least four months before the date on which their elected members cease to hold office appoint a person, not being a member or an officer of the Council, or any committee thereof, to be the Returning Officer for the ensuing election.

(2) The Council shall appoint a Deputy Returning Officer, not being a member or an officer of the Council, or any committee thereof, to act for the Returning Officer in the event of his absence or inability to act, and the expression "Returning Officer" in these Rules includes the Deputy Returning Officer so acting.

(3) The Council may pay to the Returning Officer and to the Deputy Returning Officer such fees as the Council deem appropriate.

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

(5) Subject to the provisions of these Rules, the Returning Officer shall be responsible for the conduct of the election.

Qualification of candidates and electors

3.—(1) The numbers and qualifications of the several classes of persons to be elected are specified in the first and second columns of the following table, and the qualifications of the persons entitled to nominate and to take part in the election of candidates of each of these classes are specified in the third column of the table. Provided that a person shall not be eligible for election under these Rules unless, at the time of his election he is engaged in Northern Ireland in nursing or midwifery or any relevant class of nursing or the teaching of nursing or midwifery as the case may require.

TABLE

Number of persons to be elected	*Qualifications of persons to be elected*	*Qualifications of persons entitled to nominate and take part in the election*
2	Persons holding a certificate issued by the Council, or a body recognised by the Council, to persons trained in the teaching of Nurses	Persons holding a certificate issued by the Council, or a body recognised by the Council, to persons trained in the teaching of Nurses
1	Midwife	Midwives
1	A person holding a certificate issued by the Council, or a body recognised by the Council, to persons trained in the teaching of Midwives	Midwives
1	Registered Mental Nurse	Registered Mental Nurses
1	Nurse registered in the General part of the Register	Nurses registered in the General part of the Register
1	Enrolled Nurse	Enrolled Nurses
2	Nurses registered in any part of the Register	Nurses registered in any part of the Register

(2) In order to be eligible for election under these Rules a person must have the requisite qualifications on the date of nomination and on the date of the election. In order to be entitled to nominate for the election a person must have the requisite qualifications on the date of nomination, being the last day for the receipt of nominations, and in order to be entitled to take part in the election a person must have the requisite qualifications on the date of the election.

Day of election

4. The day of election of members of the Council shall be the 15th July or such day not more than fourteen days earlier than that day as may be fixed by the Council.

Publication of notice of election

5. The Returning Officer shall fix the last day on which nomination papers are to be received being a date not later than the 15th day of May in any year in which an election takes place and at least twenty-eight clear days before the day so fixed shall cause a notice of election to be published, specifying the number and description of persons to be elected, the place to which the nomination papers are to be sent and the last day on which they are to be received. The notice shall be as nearly as may be in the form marked A in the Appendix to these Rules and shall be published once in at least four newspapers circulating in Northern Ireland.

Nomination of candidates

6.—(1) Each candidate for election as a member of the Council shall be nominated in writing.

(2) The nomination paper of a person holding a certificate issued by the Council, or a body recognised by the Council, to persons trained in the teaching of nurses or in the teaching of midwives shall state the surname and other name or names in full of the candidate and her address and particulars of her certificate. It shall be signed by not fewer than six persons having the requisite qualifications for nominating the candidate and shall state their respective addresses and particulars of their certificates. Two of such persons shall sign as proposer and seconder respectively.

(3) The nomination paper of a midwife or of a registered mental nurse or of a nurse registered in the general part of the register or of a nurse registered in any part or parts of the register or of an enrolled nurse shall state the surname and other name or names in full of the candidate and her registered or enrolled address and registered or enrolled qualifications and number. It shall be signed by not fewer than six persons having the requisite qualifications for nominating the candidate and shall state their respective addresses and registered or enrolled qualifications and number. Two of such persons shall sign as proposer and seconder respectively.

(4) Every nomination paper shall include a consent in writing signed by the person nominated acknowledging that such person consents to be nominated. Each nomination paper (which shall include the aforesaid consent) shall be in the appropriate form marked B(i) or B(ii) or B(iii) in the Appendix to these Rules, or in a form to the like effect.

(5) The name of more than one candidate shall not be inserted in any one nomination paper.

(6) Any person having the requisite qualifications for nominating a candidate may nominate any number of candidates which she is qualified to nominate, not exceeding the number to be elected.

(7) Every nomination paper shall be sent to the Returning Officer so that it shall be received at the office of the Council before the hour of noon on the last day fixed for the receipt of nomination papers. A nomination paper received after that time shall not be valid. The Returning Officer shall note on each nomination paper whether it was received before or after that time.

(8) Every nomination paper in respect of which any requirement of these Rules has not been complied with 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.

(9) A candidate may withdraw her candidature by delivering or causing to be delivered to the Returning Officer at the office of the Council three clear days before the expiration of the time appointed for the receipt of nomination papers a notice in writing of such withdrawal signed by the candidate.

(10) The Returning Officer shall provide nomination papers which shall include forms for candidates' consent to nomination. Any person having the requisite qualifications for nominating a candidate may obtain such nomination papers from the Returning Officer free of charge but no such person shall be entitled to obtain from the Returning Officer more nomination papers than there are persons to be elected.

Conduct of election

7.—(1) If the number of qualified candidates of any class who receive valid nominations and who do not withdraw their candidature under Rule 6(9) does not exceed the number of persons of that class to be elected, the Returning Officer shall on the date of the election declare such candidates to be elected.

(2) If the number of qualified candidates of any class who receive valid nominations for election, and who do not withdraw their candidature under Rule 6(9), exceeds the number of persons of that class to be elected, the Returning Officer shall cause voting papers and identification envelopes to be prepared in respect of that class.

Every voting paper in each class shall contain a list of the candidates arranged alphabetically in order of their surnames and stating their other names, addresses and qualifications described in their respective nomination papers and shall specify the last day on which voting papers may be returned and the place to which they are to be returned, and the identification envelope shall bear a declaration of identity.

Voting papers shall be in the appropriate form marked C(i) or C(ii) or C(iii) or C(iv) or C(v) or C(vi) or C(vii) in the Appendix to these Rules or in a form to the like effect, and identification envelopes shall be in the form marked 'D' in the said Appendix or in a form to the like effect.

(3) The Returning Officer shall, not later than the 15th June in any year in which an election takes place, cause a voting paper in the appropriate form and in respect of the appropriate class of candidates to be forwarded by post to each person qualified to take part in the election of the appropriate class of candidates to her registered or enrolled address or (in the case of a person holding a certificate issued to persons trained in the teaching of nurses or in the teaching of midwives) to her address, together with an identification envelope. Each voter will be entitled to receive one voting paper and one identification envelope and no more in respect of each particular class of candidates, and votes shall not be given except upon the voting papers provided by the Returning Officer.

(4) Each voter shall mark the voting paper delivered to her with a cross (X) against the name or names of the person or persons (not exceeding the number of persons to be elected) for whom she desires to vote, and shall place the voting paper, folded face inwards, in the appropriate identification envelope and securely fasten the same.

The voter 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 office of the Council. Every voting paper in respect of which any requirement of these Rules has not been complied with or on which the voter has placed any mark whereby she may be afterwards identified, or which is not received by the Returning Officer before the hour of noon on the day of the election shall be invalid.

The Returning Officer shall provide a ballot box for the reception of the covering envelopes returned by the voters. Every such ballot box shall be sealed with the seal of the Returning Officer and the Returning Officer shall make provision for the safe custody of such ballot box. The Returning Officer or his staff shall, immediately on receipt of the covering envelopes, place them unopened in the ballot box.

(5) Any candidate or agent appointed in writing to represent the candidate may be present at the opening of the ballot box and during the examination of the identification envelopes and the counting of the voting papers.