NURSES

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Agencies

REGULATIONS, DATED 28TH JANUARY, 1950, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER PART II OF THE NURSES ACT (NORTHERN IRELAND), 1946.

1950. No. 18

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by section 12 (2) of the Nurses Act (Northern Ireland), 1946, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

1.—(1) These Regulations may be cited as the Nurses Agencies Regulations (Northern Ireland), 1950.

(2) These Regulations, except Regulations 3, 5 and 6 and the Second Schedule, shall come into operation on the 1st day of March, 1950, and the said Regulations 3, 5 and 6 and the said Second Schedule shall come into operation on the 16th day of March, 1950.

2.—(1) In these Regulations :—

" the Act " means the Nurses Act (Northern Ireland), 1946.

" the Ministry " means the Ministry of Health and Local Government for Northern Ireland.

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

3. A person carrying on an agency for the supply of nurses may, in carrying on the agency, supply persons of the following classes :—

(*a*) persons on the list kept under section 18 of the Act ;

(*b*) persons who hold the certificate of proficiency in mental nursing or the certificate of proficiency in the nursing of mental defectives granted by either the Royal Medico-Psychological Association, or the Joint Nursing and Midwives Council for Northern Ireland ;

(*c*) persons who hold the tuberculosis nursing certificate granted by the Tuberculosis Association ;

(*d*) persons who hold 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 ;

(*e*) persons who are entitled, under the Nurses Regulations (Northern Ireland), 1950 (**a**) to use the name or title of " service-trained male nurse " ;

(*f*) persons who are entitled by virtue of the Nurses Regulations (Northern Ireland), 1950, to use the name or title of " trained nurse " or any expression containing those words ;

(*g*) persons, being persons to whom none of the preceding paragraphs of this regulation applies, of any class prescribed for the purpose of paragraph (*d*) of sub-sections (1) of section 7 of the Nurses Act 1943, and paragraph (*d*) of sub-section 7 of the Nurses (Scotland) Act, 1943.

4.—(1) An application for a licence to carry on an agency for the supply of nurses on any premises in Northern Ireland shall be made in writing to the Ministry in the form set out in the First Schedule to these Regulations or in a form substantially to the like effect and shall be accompanied by the fee payable in accordance with these Regulations.

(2) An application for a licence in respect of an agency by the holder of a licence in respect of that agency shall be made not less than four weeks before the date on which the current licence is due to expire.

(3) An applicant for a licence shall furnish to the Ministry such further information as the Ministry may reasonably require with respect to him or to the agency carried on or proposed to be carried on by him.

(4) The fee payable upon making an application for a licence shall be two guineas in the case of a first application to the Ministry for a licence and one guinea in the case of a subsequent application by the same person in respect of the same agency :

Provided that where an application is made by reason only that it is proposed to carry on an agency in respect of which a licence is held on different premises the fee shall be two shillings and sixpence.

5.—(1) A statement in writing for the purposes of subsection (2) of section 7 of the Act shall be in the form set out in the Second Schedule to these Regulations or in a form substantially to the like effect approved for the time being by the Ministry.

(2) A statement for the said purposes shall be delivered in person by the nurse or other person supplied :

Provided that, if it is not reasonably practicable in the circumstances of a particular case for the nurse or other person supplied so to deliver the statement, the statement may be sent by post or other suitable means and in such case shall —

(*a*) if sent by other means than post, be delivered, and

(*b*) if sent by post be posted at such time as will, in the ordinary course of post, enable it to be delivered,

(a) S. R. & O. (N.I.) 1950, No. 17.

not later than the end of the day next after that on which the nurse or other person is to report for duty.

6. A person carrying on an agency for the supply of nurses shall keep records showing :—

(*a*) the full name and address and the age of every nurse or other person who is, or is to be, supplied by the agency ;

(*b*) in the case of a registered nurse and of a nurse on the list kept under section 18 of the Act :—

(i) on what part or parts of the register or of the said list the nurse's name is included ;

(ii) whether she is also a midwife, and

(iii) what additional nursing certificates (if any) are held by the nurse.

(*c*) in the case of persons supplied or to be supplied other than registered nurses and nurses on the said list, the nursing or midwifery qualifications possessed by the person ;

(*d*) the name and professional qualifications of the registered nurse or the registered medical practitioner by or under whose supervision the selection of the person to be supplied for a particular case is made ;

(*e*) the names and addresses of all persons to whom nurses or other persons are supplied, the name of the nurse or other person supplied in each case, the date on which the nurse or other person was so supplied, and the duration of the period of supply ;

(*f*) the weekly or monthly fee, charge or other consideration required in each case from the person to whom a nurse or other person is supplied, and the total fee, charge or other consideration required in each case ;

(*g*) the total commission or fee and expenses, if any, charged in each case to the nurse or other person supplied, and (except in a case to which the next succeeding sub-paragraph applies) the net amount retained by, or, as the case may be, paid by the agency to, the nurse or other person supplied in each case ;

(*h*) where nurses or other persons are directly employed by the agency, the annual salary and emoluments payable to, and conditions of employment of, each such nurse or other person ;

(*i*) the terms of the standard agreement between the agency and nurses or other persons supplied or to be supplied by the agency, and particulars of any variation of those terms in any particular case ;

(*j*) whether the nurse or other person is a member of any superannuation scheme, and if so of what scheme ;