

LAWS OF BRUNEI

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CHAPTER 140

NURSES REGISTRATION

ARRANGEMENT OF SECTIONS

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NURSES REGISTRATION ACT

An Act to provide for the registration of nurses

7 of 1961

Commencement: 1st January 1968 S.16/68

1. This Act may be cited as the Nurses Registration Act. Short title
2. (1) For the purposes of this Act there shall be established a Nursing Board for Brunei (in this Act referred to as "the Board"). Establishment and constitution of a Nursing Board

(2) The Board shall be constituted in accordance with the provisions contained in regulations made under this Act.
3. (1) It shall be the duty of the Board to form and keep a register of nurses (in this Act referred to as "the Register") subject to and in accordance with the provisions of this Act, and the names of all persons included in the Register shall be published annually in the *Gazette*. Register of nurses

(2) The Register shall consist of the following parts —
 - (a) a part containing the names of all nurses who satisfy the conditions of admission to that part of the Register;
 - (b) a part containing the names of nurses trained in the nursing and care of persons suffering from mental diseases;
 - (c) a part containing the names of nurses trained in the nursing of sick children;

(d) a part containing the names of nurses trained in the nursing of persons suffering from tuberculosis or other infectious diseases;

(e) a part containing the names of all hospital assistants; and

(f) any other prescribed part:

Provided that where a person satisfies the Board of conditions of admission to any part of the Register, his or her name may be included in such part or parts of the Register.

(3) In any proceedings, a copy of the *Gazette* containing the most recent list of names on the Register shall be *prima facie* evidence, and a certificate under the hand of the Chairman of the Board shall be conclusive evidence, that the persons named in the list or certificate are, or are not, registered under this Act.

(4) Any reference in this Act to the Register shall, unless the context otherwise requires, be deemed to include a reference to any part of the Register, and the expression “registered” shall be construed accordingly.

Regulations

4. (1) Subject to the provisions of this Act, His Majesty the Sultan and Yang Di-Pertuan in Council may make such regulations for all or any of the following purposes —

(a) to regulate the formation, maintenance and publication of the Register;

(b) to regulate the conditions of admission to the Register;

(c) to regulate the conduct of any examinations which may be prescribed as a condition of admission to the Register, and any matters ancillary to or connected with any such examinations;

(d) to prescribe the causes for which, the conditions under which and the manner in which nurses may be removed from the Register, and the procedure for the restoration to the Register of nurses who have been removed therefrom;

(e) to prescribe the constitution of the Board and to regulate the summoning of meetings of the Board and the proceedings (including the quorum) of the Board;

(f) to enable the Board to constitute committees and to authorise the delegation to committees of any of the powers of Board and to regulate the proceedings (including the quorum) of committees;

(g) to prescribe the fees to be payable;

(h) generally to make provision for any matters regarding which His Majesty in Council considers that provision should be made for the purposes of carrying this Act into effect (including provision for the issue of certificates to nurses registered under this Act and with respect to the titles which may be used and the uniforms or badges which may be worn by nurses so registered), and to prescribe anything which under this Act is to be prescribed.

(2) Regulations under this section shall contain provisions —

(a) requiring as a condition of admission of any person to the Register that that person shall have undergone the prescribed training, and shall possess the prescribed experience, in the nursing of the sick;

(b) requiring that the prescribed training shall be carried out either in an institution approved by the Board in that behalf or in the service of the Admiralty, the Army Council or the Air Council; and

(c) enabling persons who, within a period of 2 years after the date on which the regulations to be made under the provisions of this paragraph first come into operation, make an application in that behalf (in this Act referred to as “an existing nurse’s application”) to be admitted to the Register on producing evidence, to the satisfaction of the Board, that they are of good character, are of the prescribed age, and are persons who were before the coming into force of the Act *bona fide* engaged in practice as nurses in attendance on the sick under conditions which appear to the Board to be satisfactory for the purposes of this provision and have adequate knowledge and experience of the nursing of the sick.

Admission to the Register of persons trained outside Brunei

5. (1) Any person whose name is registered in any part or parts of the Register kept by the General Nursing Council for England and Wales, or of the Register kept by the General Nursing Council for Scotland, or of the Register kept by the Joint Nursing and Midwives Council of Northern Ireland, or of the Register kept by the General Nursing Council for Eire, or of the Register kept by the Nursing Board of the Federation of Malaysia or the Republic of Singapore and who produces a certificate from the Council or the Board, as the case may be, of any of the territories before-mentioned, certifying that his or her name is so registered as a nurse, shall, upon making an application in the prescribed manner, and upon satisfying the Board of his or her identity and good character, and upon paying the fee prescribed for ordinary applications, for registration under

the Act, be entitled to be registered in a corresponding manner under this Act.

(2) If any person proves to the satisfaction of the Board that he or she has been trained in any place outside Brunei where the standard of training and examination is not lower than the standard of training and examination required under this Act, either as a general nurse or hospital assistant for the sick, or as a nurse or hospital assistant in some special class, and satisfies the Board of his or her identity and good character, the Board may either after examination or without examination upon payment of a small fee prescribe for registration under this Act, direct that such person shall be registered in the appropriate part or parts of the Register.

6. (1) Any person aggrieved by the removal of his or her name from the Register may, within 3 months after the date on which notice has been served on him or her by the Board that his or her name has been so removed, appeal against the removal to His Majesty in Council, and on such appeal His Majesty in Council may give such directions in the matter as he thinks proper.

Appeal
against re-
moval from
the Register
or against re-
fusal to
approve in-
stitution

(2) Any person aggrieved by the refusal of the Board to approve any institution for the purpose of the regulations under this Act relating to training may appeal against the refusal to His Majesty in Council and His Majesty in Council may give such directions therein as he thinks proper and the Board shall comply with any directions so given.

7. Any notice, directed to be served on any person under the provisions of this Act or the regulations made thereunder, shall be deemed to have been served on such person if such notice has been posted by registered post to his address given in the Register, or if such person be not registered, then to the address furnished by him to the Board.

Service of
notice

Procedure on
appeal

8. (1) Every appeal under section 6 shall be by means of a written petition and such petition, unless otherwise provided, shall be presented within 14 days of the date of service of the decision of the Board on the person concerned.

(2) With such petition His Majesty in Council may consider any written reply of the Board to such petition.

(3) The decision of His Majesty in Council on such petition shall be final.

Penalties for
unlawful
assumption
of title of reg-
istered nurse
and for fal-
sification of
Register

9. (1) Every person who —

(a) not being a person duly registered under this Act takes or uses the title of registered nurse or its equivalent in any other language, either alone or in combination with any words or letters, or uses any name, title, addition, description, uniform or badge implying that he or she is registered under this Act or is recognised by law as a registered nurse, or uses any title, uniform or badge prescribed for the use of nurses registered under this Act; or

(b) being a person whose name is included in any part of the Register, uses any name, title, addition, description, uniform or badge, or otherwise does any act of any kind, implying that his or her name is included in some other part of the Register in which it is not included; or

(c) with intent to deceive makes use of any certificate of registration as a nurse issued under this Act to him or her or to any other person,

shall upon conviction by a Magistrate's Court be liable to a fine of \$3,000 and to imprisonment for 12 months.

(2) Every person who wilfully makes or causes to be made any falsification in any matter relating to the Register shall upon conviction by a Magistrate's Court be liable to a fine of \$6,000 and to imprisonment for 12 months.

