

No. S 11

**CONSTITUTION OF BRUNEI DARUSSALAM
(Order made under Article 83(3))**

NURSES REGISTRATION ACT (AMENDMENT) ORDER, 2014

ARRANGEMENT OF SECTIONS

Section

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NURSES REGISTRATION ACT (AMENDMENT) ORDER, 2014

In exercise of the power conferred by Article 83(3) of the Constitution of Brunei Darussalam, His Majesty the Sultan and Yang Di-Pertuan hereby makes the following Order —

Citation.

1. This Order may be cited as the Nurses Registration Act (Amendment) Order, 2014.

Insertion of new sections 2A and 2B into Chapter 140.

2. The Nurses Registration Act, in this Order referred to as the Act, is amended by inserting immediately after section 2 the following two new sections —

“Practising nurses to register.

2A. No person shall practise nursing in Brunei Darussalam unless he or she is registered in the Register.

Registrar of Nurses.

2B. The Director of Nursing Services shall be the Registrar of Nurses, who shall be responsible for the maintenance and custody of the Register and for the performance of such other duties in connection therewith as may be necessary.”

Amendment of section 3.

3. Section 3 of the Act is amended —

(a) by repealing subsection (1) and by substituting the following two new subsections therefor —

“(1) For the purposes of this Act, there shall be a register of nurses to be known as the Register.

(1A) Subject to and in accordance with this Act, the Register shall be in such form as the Board may determine and the names of all persons included in the Register shall be published annually in the *Gazette*.”;

(b) in subsection (4), by inserting “or any regulations made thereunder” immediately after “Act” in the first line.

Amendment of section 4.

4. Section 4 of the Act is amended, in subsection (1) —

(a) by deleting “His Majesty the Sultan and Yang Di-Pertuan in Council” from the first and second lines and by substituting “the Minister, with the approval of His Majesty the Sultan and Yang Di-Pertuan” therefor;

(b) by inserting the following new paragraph immediately after paragraph *(b)* —

“*(ba)* to regulate the issue and renewal of practising certificates;”;

(c) in paragraph *(d)*, by inserting “, or refused registration in” immediately after “from” in the third line.

Amendment of section 6.

5. Section 6 of the Act is amended, in subsection (1), by inserting “, or refusal to enter his or her name in,” immediately after “from” in the second line.

Amendment of section 9.

6. Section 9 of the Act is amended —

(a) by deleting the marginal note and by substituting “Offences.” therefor;

(b) by repealing paragraph *(a)* and by substituting the following new paragraph therefor —

“*(a)* not being a person duly registered under this Act, practises nursing;”;

(c) by inserting the following new paragraph immediately after paragraph *(a)* —

“*(aa)* 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;”.

Addition of new section 10.

7. The Act is amended by adding the following new section —

“Employment of person not registered to practise nursing.

10. (1) No person shall employ or engage a person who is not a person duly registered under this Act to practise nursing.

(2) Any person who contravenes subsection (1) is guilty of an offence and liable on conviction to a fine not exceeding \$10,000 and, in the case of a second or subsequent conviction, to a fine not exceeding \$20,000, imprisonment for a term not exceeding 6 months or both.

(3) Subsection (1) does not apply to the employment or engagement of —

(a) a medical practitioner;

(b) a person to care for —

(i) the person employing or engaging him or her; or

(ii) a family member, relative or friend of the person employing or engaging him or her.

(4) In any proceedings for an offence against this section, it shall be a defence for a defendant to prove that —

(a) he did not know that the person concerned was a person not duly registered under this Act; and

(b) he had exercised due diligence to ascertain if that person was a person duly registered under this Act.”

Amendment of Act.

8. The Act is amended by deleting “His Majesty in Council” wherever those words appear and by substituting “the Minister” therefor.

Made this 10th. day of Jamadilakhir, 1435 Hijriah corresponding to the 10th. day of April, 2014 at Our Istana Nurul Iman, Bandar Seri Begawan, Brunei Darussalam.

HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN
BRUNEI DARUSSALAM