

LAWS OF MALAYSIA

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Act 14

NURSES ACT 1950

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NURSES ACT 1950

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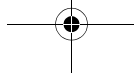
Act 14

NURSES ACT 1950

ARRANGEMENT OF SECTIONS

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LAWS OF MALAYSIA

Act 14

NURSES ACT 1950

An Act to provide for the registration of nurses for the sick.

*[Peninsular Malaysia—20 December 1950,
Ord. 32 of 1950;
Sarawak—1 November 1969, P.U.(A)433/1969;
Sabah—1 January 1978, P.U.(A)373/1977;
Federal Territory of Labuan—16 April 1984,
P.U.(A)218/1985]*

Short title

1. (1) This Act may be cited as the Nurses Act 1950 and applies throughout Malaysia.

(2) *(Omitted).*

Interpretation

2. In this Act, unless the context otherwise requires—

“prescribed” means prescribed by regulations made under this Act.

Establishment and constitution of a Nursing Board

3. (1) For the purposes of this Act there shall be established a Nursing Board (in this Act referred to as “the Board”).

(2) The Board shall be constituted in accordance with regulations made under this Act.

Register of nurses

4. (1) It shall be the duty of the Board, subject to and in accordance with this Act, to form and keep a register (in this Act referred to as “the Register”) of nurses for the sick.

(2) The Register shall consist of the following parts:

- (a) a general part containing the names of all nurses who satisfy the conditions of admission to that part of the Register;
- (b) a supplementary part containing the names of assistant nurses;
- (c) a supplementary part containing the names of nurses trained in the nursing and care of persons suffering from mental diseases and comprising of three sections, one for nurses admitted to the general part of the Register, one for assistant nurses and another for nurses who are not capable of being included in either of the two other sections;
- (d) a supplementary part containing the names of nurses trained in public health;
- (e) a supplementary part containing the names of rural nurses in Peninsular Malaysia;
- (f) a supplementary part containing the names of community nurses in Sarawak;
- (g) a supplementary part containing the names of rural health nurses in Sabah; and
- (h) such other supplementary parts as may be prescribed:

Provided that no person shall be registered under paragraph (d) who is not already registered in the general part of the Register.

(3) In any proceedings, a certificate under the hand of the Chairman of the Board stating whether or not a person is registered under this Act shall be conclusive evidence of that fact and of other facts relevant to that fact which may be included in the certificate.

(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

5. (1) The Minister may make regulations for any of the following purposes:

- (a) for regulating the formation, maintenance and publication of the Register;
- (b) for regulating the conditions of admission to the Register;
- (c) for regulating 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) for prescribing 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) for prescribing the constitution of the Board and for regulating the summoning of meetings of the Board and the proceedings (including quorum) of the Board;
- (f) for enabling the Board to constitute committees and for authorizing the delegation to committees of any of the powers of the Board and for regulating the proceedings (including quorum) of committees;
- (g) for prescribing the fees to be paid; and
- (h) generally, for any matters regarding which the Minister considers that provision should be made for carrying this Act into effect (including 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 for prescribing anything which is to be prescribed.

(2) Regulations under this section shall contain provisions—

- (a) requiring as a condition of the 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; and

(b) requiring that the prescribed training shall be carried out in an institution approved by the Board in that behalf and prescribing the requirements for admission to such an institution and the courses of instruction to be given therein.

(c) *(Deleted by Act A486).*

(3) All regulations made under this Act shall be laid before the Dewan Rakyat and if a resolution be passed, within three months after any such regulations have been laid on the table of the Dewan, resolving that the regulations or any of them shall be rescinded or amended in any manner whatsoever, the regulations in respect of which it is so resolved shall, without prejudice to anything done thereunder, be deemed to be rescinded or amended, as from the date of publication in the *Gazette* of the passing of such resolution.

Admission to register of persons trained outside Malaysia

6. (1) *(Deleted by Act A486).*

(2) If any person proves to the satisfaction of the Board that he or she has been trained in any place outside Malaysia 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 for the sick or as a nurse of some special class, and satisfies the Board as to his or her identity and good character, the Board may, either after examination or without examination, upon payment of the fee prescribed for registration under this Act, direct that that person shall be registered in the appropriate part or parts of the Register.

Appeal against removal from the register or against refusal to approve institution

7. (1) Any person aggrieved by the removal of his or her name from the Register may, within three 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 the Minister, and on any such appeal the Minister may give such directions in the matter as he thinks proper.

(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 the Minister and the Minister may give such directions therein as he thinks proper and the Board shall comply with any directions so given.

Service of notice

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

Procedure on appeal

9. Every appeal under section 7 shall be by means of a written petition which unless otherwise provided shall be presented within fourteen days of the date of service of notice of the decision of the Board on the person concerned. With such petition the Minister may consider any written reply of the Board to such petition. The decision of the Minister on such petition shall be final.

Penalties for unlawful assumption of title of registered nurse and for falsification of Register

10. (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 other 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 recognized by law as a registered nurse, or uses any title, uniform or badge prescribed for the use of nurses registered under this Act;
 - (b) being a person whose name is included in any part of the Register, takes or 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 be guilty of an offence and shall, on conviction by a Magistrate's Court, be liable to a fine not exceeding one thousand ringgit or to imprisonment for a term not exceeding twelve months or to both.

(2) Every person who wilfully makes or causes to be made any false entry in the Register shall be guilty of an offence and shall, on conviction by a Magistrate's Court, be liable to a fine not exceeding two thousand ringgit and to imprisonment for a term not exceeding twelve months.

Repeal and consequential provision

11. (1) The Nurses Registration Ordinance of Sabah [*Cap. 165*] is hereby repealed.

(2) Upon the repeal of the said Ordinance the names of nurses contained in the register kept thereunder shall be transferred to, and entered (and until that has been done, shall be deemed to have been transferred to and entered) in the appropriate part of the Register kept under this Act.

(3) This section shall come into force on the date appointed for the coming into force of this Act in the State of Sabah.

LAWS OF MALAYSIA**Act 14****NURSES ACT 1950****LIST OF AMENDMENTS**

Amending law	Short title	In force from
Ord. 53/1955	Nurses Registration (Amendment) Ordinance 1955	01-01-1956
Ord. 5/1957	Nurses Registration (Amendment) Ordinance 1957	23-04-1957
L.N.332/1958	Federal Constitution (Modification of Laws) (Ordinances and Proclamations) Order 1958	13-11-1958
P.U.(A)432/1969	Modification of Laws (Nurses Registration) (Modification and Extension to East Malaysia) Order 1969	30-10-1969
P.U.(A)218/1985	Federal Territory of Labuan (Modification of Nurses Act) Order 1985	16-04-1984
Act A486	Nurses (Amendment) Act 1980	25-10-1985

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Act 14

NURSES ACT 1950

LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
4	Act A486	25-10-1985
5	Act A486	25-10-1985
6	Act A486	25-10-1985
10	Act A486	25-10-1985
