NURSES ACT 1950
NURSES REGISTRATION REGULATIONS 1985
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SCHEDULES.
In exercise of the powers conferred by section 5 of the Nurses Act 1960, the Minister makes the following regulations:

PART I
PRELIMINARY

1. These Regulations may be cited as the Nurses Registration Regulations 1985 and shall come into force on the 1st November 1985.

2. In these regulations, unless the context otherwise requires -

“assistant nurse” means a person who is admitted to the supplementary part containing the names of assistant nurses;

“community nurse” means a person who is admitted to the supplementary part containing the names of community nurses;

“mental nurses” means a person who is admitted to the supplementary part containing the names of nurses trained in the nursing and care of person suffering from mental diseases;

“public health nurse” means a person who is admitted to the supplementary part containing the names of nurses trained in public health;

“Register” means the Register of Nurses formed and kept by the Board under section 4 of the Act;
“registered nurse” means a person who is admitted to the general part of the Register;

“rural health nurse” means a person who is admitted to the supplementary part containing the names of rural health nurses;

“rural nurse” means a person who is admitted to the supplementary part containing the names of rural nurses.

Constitution of the Board.

3. (1) The Nursing Board established under section 3 of the Act shall consist of-

   (a) Six ex-officio member who shall be-

       (i) The director General of Health, Malaysia;

       (ii) The Director of Training and Manpower, Ministry of Health;

       (iii) The Director of Medical Service, Sarawak;

       (iv) The Director of Medical Service, Sabah;

       (v) the Principal Matron, Ministry of Health;

       (vi) The Assistant Principal Matron (Training), Ministry of Health;

   (b) Six Nurse Tutors, five of whom shall be Sister Tutors and the other either a Sister Tutor or a Male Tutor to be appointed by the Minister;

   (c) Nine registered nurses to be appointed by the Minister.

(2) Every member appointed by the minister shall hold office for a period of the three years unless a lesser period is specified in the instrument of appointment.

(3) The Principal Matron, Sarawak, may attend meetings of the Board in place of the Director of Medical Services, Sarawak, and the Principal Matron, Sabah may attend in place of the Director of Medical Services, Sabah.
(4) On the death, inability to act, resignation or absence from Malaysia for more than three month of any member appointed by the Minister, another member shall be appointed by the Minister to fill his place.

(5) No act or proceeding of the Board shall be questioned on account of any vacancy existing in it.

(6) The Director General of Health shall be ex-officio Chairman of the Board, the Principal Matron, Ministry of Health, shall be ex-officio Registrar of the Board, and the Assistant Principal Matron (Training), Ministry of Health shall be ex-officio Secretary of the Board.

(7) Where the Registrar is prevent from carrying out his functions, exercising his powers or discharging his duties due to sickness, absence or any other cause, the Secretary of the Board shall carry out the functions, exercise the powers and discharge the duties of the Registrar.

4.(1) The Board shall approve institutions as training schools to provide training for admission by examination to the Register.

(2) An institution which is approved by the Board as providing complete training for admission by examination to the general part of the Register or to a supplementary part of the Register shall be called a “complete training school”.

(3) An institution which is approved by the Board as capable of providing, in affiliation to a complete training school, a part of such training shall be called “affiliated training school”.

(4) An institution which is approved by the Board as capable of providing training for assistant nurses shall be called an “assistant nurses training school”.

(5) In approving an affiliated training school the Board shall direct what proportion of the period of training required to be undertaken under these Regulations for admission by examination to the Register shall be spent in the affiliated training school, and what proportion shall be spent in the complete training school to which it is affiliated.
(6) Except where the context otherwise requires, a course of training for any specified period of time in an affiliated training school means a course of training arranged in accordance with the Board’s directions which may be undertaken partly in that school and partly in the complete training school in which it is affiliated.

(7) The Board shall prepare and keep a list of approved training schools which shall show -

(a) Whether the institution is a complete training school, an affiliated training school or an assistant nurses’ training school;

(b) The type of training given at such school and the part of the Register for which the training is approved.

PART II
THE REGISTER

5. (1) 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 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 the following sections:

   (i) one section for nurses admitted to the general part of the Register:

   (ii) one section for assistant nurses;

   (iii) one section for nurses who are not eligible to be included in either of the two 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 West 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.

(2) No person shall be registered under paragraph (d) of sub-regulation (1) who is not already in the general part of the Register.

(3) The Register shall contain the particulars set out in the First Schedule.

(4) Every person admitted to the Register shall be assigned a number in the part or parts of the Register in which his name is included.

6. (1) Application for admission to any part of the Register shall be made to the Registrar in the form set out in the Second Schedule.

(2) The application shall be accompanied by such documents, particulars and fees as may be prescribed.

7. The registration fee shall be -

(a) twenty-five ringgit for admission to the general part of the Register;

(b) ten ringgit for admission to any one of the supplementary parts of the Register.

8. (1) Any person in the general and supplementary parts of the Register who desires to practice after the 31st December of any year shall, not later than the 30th September of that year, make an application in the form set out in the Third Schedule and pay the prescribed fee for a certificate to practice as such.

(2) Upon such application and payment, the Register shall issue a certificate (to be styled the 'annual nurse practicing certificate') set out in

Annual nurse practicing certificate.
the Fourth Schedule authorizing the applicant to practice during the year for which the certificate is issued.

(3) The annual nurse practising certificate shall be in force until the 31st December of the year in respect of which it is issued.

(4) It shall not be necessary for a person who is registered in more than one part of the Register to possess a separate annual nurse practising certificate for each part.

(5) Any person who practices but does not possess an annual nurse practising certificate in respect of himself in force shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding one thousand ringgit or to imprisonment not exceeding six months or to both.

9. (1) The fee for the annual nurse practising certificate shall be

(a) ten ringgit in respect of registered nurses;

(b) five ringgit in respect of assistant nurses and nurses on any supplementary part of the Register.

(2) Any person who applies for an annual nurse practising certificate after the 30th September shall pay a late fee of ten ringgit in addition to the fee prescribed in sub-regulation (1).

(3) A registered nurse, an assistant nurse, a rural nurse, a community nurse or a rural health nurse employed by the government shall be exempted from payment of the fee for the annual practising certificate.

10. (1) Notwithstanding anything to the contrary in these Regulations, the Board may issue, upon application in writing, to a person who is registered as a nurse outside Malaysia a temporary practising certificate allowing him to practice as a nurse, subject to such conditions and restrictions as the Board may specify in such certificate, for a period not exceeding three months.

(2) The holder of a temporary practising certificate issued under sub-regulation (1) shall, while the certificate remains in force and subject to the conditions and restrictions specified in the certificate, be deemed to be a fully registered person.

(3) The Board may at any time cancel any temporary practising certificate granted under this regulation.

11. (1) Any person who is admitted to the Register shall notify the Registrar of every permanent charge of address, and for the purposes of these Regulations the address last notified shall be deemed to be the registered address of that person.
(2) Where any notice or correspondence is to be served or sent to a person who is admitted to the Register it shall be deemed to have been received by him if it is sent by post to the last known address.

12. (1) Any person who is admitted to the general part of the Register and not practicing nursing in Malaysia but desires to retain his name in the Register shall pay to the Registrar a retention fee of twenty five ringgit not later than the 30th September in each year.

(2) Any person who is admitted to any supplementary part of the Register and not practicing nursing in Malaysia but desires to retain his name in the Register shall pay to the Registrar a retention fee of ten ringgit not later than the 30th September in each year.

(3) If no retention fee is received by the 30th September of the year the name of the person shall be removed from the Register.

(4) Where the name of a person has been removed from the Register because of his failure to pay his annual retention fee the Register shall restore that person’s name in the Register upon the payment of the retention fee.

PART III

CONDITIONS OF ADMISSION OF NURSES TO REGISTER

13. (1) No person shall be accepted for training in an approved nurses training school unless he has passed the Malaysia Certificate of Education, the *Sijil Pelajaran Malaysia* or such other examination as may be accepted by the Board.

(2) The nurses training course shall not be less than three years.

(3) The Board shall hold periodical and final examinations in subject prescribed by the Board at such times, in such places and subject to such conditions as the Board may from time to time direct.

14. (1) The entrance fee for each sitting of the nurses final examination shall be thirty ringgit.

(2) The fee shall be payable before the applicant name is entered for the examination.

15. (1) No person shall be entitled to enter for the nurses final examination until he has passed the periodical examinations stipulated by the Board.

(2) A person who applies to enter for the nurses final examination shall deposit with the Secretary of the Board a certificate
signed by the principal of the training school in which his training was
given to the effect that -

   (a) He has undergone the training
   prescribed by the Board as is necessary to qualify him for
   admission to the part of the Register to which the nurses final
   examination relates;

   (b) He has undergone systematic
   instruction in each of the subject prescribed in the syllabus of
   subject for such examination as approved by the Board; and

   (c) He is of good conduct

16. (1) No person shall be entitled to have his name
entered on the Register unless he has passed the final examination
applicable to the part of the Register to which he seeks admission and
has attained the age eighteen years.

   (2) The name of every person who has passed
the nurses final examination for the general part or any supplementary
part of the Register shall forthwith be placed in that part of the Register.

17. (1) A registered mental nurse who applies to be
registered in the general part of the Register shall deposit with the
Secretary of the Board a certificate that since the date of his registration
he has completed a course of training of not less than two years in a
complete training school for registered nurses or for such longer period
in an affiliated training school as the Board may direct.

   (2) A registered nurse who applies for admission
to the supplementary part of the Register for mental nurse shall deposit
with the Secretary of the Board a certificate that since the date of
registration he has completed a course of training of not less than one
year in a complete training school for registered mental nurses, or in a
mental hospital recognized by the Board as an affiliated training school
for registered mental nurses and passed the final examination.

   (3) For the purpose of this part, “training in a
training school” means training given at the school in subjects
prescribed by the Board as the subjects for the examination which an
applicant seeks to pass.

   (4) The Board in its discretion may accept, as
satisfying either in whole or in part the provision of sub-regulation (3),
training given in more than one training school or institution, either in
Malaysia or elsewhere, if the Board is satisfied that the training which in
accepted is of not less value than the training which would be obtained in a complete training school for the period of time which is accepted.

18. Any person who proves to the satisfaction of the Board that he has been trained in any place outside Malaysia, either as a general nurse for the sick, or as a nurse of some special class, in accordance with the provisions of subsection (2) of section 6 of the Act, and satisfies the Board as to his identity and good character, shall (either after successful examination of without examination as the Board may direct) be entitled, upon making application to the Board and on payment of the prescribed fee, to admitted to the appropriate part or parts of the Register.

19. The Board may in any particular case dispense with any certificate or other document required by this Part if it is satisfied by other evidence that the information furnished by the applicant is correct, and that as regards character and professional efficiency the applicant is suitable for admission to the Register.

PART IV

CONDITIONS OF ADMISSION OF ASSISTANT NURSES AND OTHER NURSES TO REGISTER

20. (1) No person shall be accepted for training in and approved assistant nurses training school unless he has passed the Lower Certificate of Education or the Sijil Rendah Pelajaran.

(2) The assistant nurses training course shall be not less than two years.

(3) The Board shall hold in the first year of training a preliminary examination and after that a final examination in the subjects for these examinations as prescribed by the Board at such times, in such places and subject to such conditions as the Board may from time to time direct.

21. (1) The entrance fee for each sitting of the assistant nurses final examination shall be fifteen ringgit.

(2) The fee shall be payable before the applicant’s name is entered for the examination.

22. Any person who produces the assistant nurses training certificate to the effect that he has undergone the training prescribed by the Board and passed the assistant nurses final examination and he is at least seventeen years old and is of good conduct shall be eligible for registration as an assistant nurse.
23. An assistant nurse who applies to be registered in the general part of the Register shall deposit with the Secretary of the Board a certificate that since the date of his registration he has completed a course of training of not less than two years in a complete training school for registered nurses, of for such longer period in an affiliated training school as the Board may direct, and passed the nurses final examination.

24. Any person in West Malaysia who produces the rural nurse training certificate to the effect that he has undergone the training prescribed by the Board and passed the final examination and is not less than seventeen years old and is of good conduct shall be eligible for registration as a rural nurse.

25. Any person in Sarawak who produces the community nurse training certificate to the effect that he has undergone the training prescribed by the Board and passed the final examination and is not less than seventeen years old and is of good conduct shall be eligible for registration as a community nurse.

26. Any person in Sabah who produces the rural health nurse training certificate to the effect that he has undergone the training prescribed by the Board and passed the final examination and is not less than seventeen years old and is of good conduct shall be eligible for registration as a rural health nurse.

PART V

CERTIFICATE OF ADMISSION TO THE REGISTER

27. (1) Every person admitted to the Register shall be granted a certificate as set out in the Fifth Schedule, as the case may be, and such certificate shall be under the seal of the Board.

(2) No document purporting to be a certificate of admission to the Register shall be valid unless it is under the seal of the Board.

28. If a badge or a certificate of admission to the Register is lost or accidentally destroyed, the holder may apply to the Board for -

   (a) a statement, signed by the Registrar, of the entry or entries pertaining to the holder in the Register; or

   (b) a duplicate badge.
and the Board may, if it thinks fit, issue such statement or badge upon payment by the applicant of fifteen ringgit for the statement and five ringgit for the badge.

29. (1) Any person shall be entitled, upon payment to the Secretary of the Board of a fee of thirty ringgit, to be furnished with a certificate signed by the Registrar stating that on a specified date or during a specified period a person was or was not included in the Register, as the case may be.

(2) Any person trained in Malaysia shall be entitled upon payment to the Secretary of the Board of a fee of thirty ringgit, to have the transcript of his training sent to the Nursing Council or Board in another country to which he is applying for registration.

30. (1) Any person who is admitted to the general part of the Register may bear the title “Jururawat Berdaftar Malaysia” (J.B.M).

(2) Any person who admitted to the supplementary part of the Register containing the names of assistant nurses may bear the title “Penolong Jururawat Berdaftar Malaysia” (P.J.B.M)

(3) Any person who is admitted to any supplementary part of the Register, other than the part containing the names of assistant nurses, may bear the title “Berdafar Malaysia”, qualified by the classification of such supplementary part.

(4) The badge which may be worn by a person indicating that he is a registered nurse or an assistant nurse shall be as set out in the Sixth Schedule.

PART VI
DISCIPLINARY PROCEEDINGS

31. The Board shall have disciplinary jurisdiction over all person registered under these Regulations.

32. The Board may, in the exercise of its disciplinary jurisdiction, impose any of the following punishments:

(a) Order the name of a registered person to be removed from the Register.

(b) Order the name of a registered person to be suspended from the Register for such period as it may think fit;

(c) Order a registered person to be reprimanded; or
(d) Make any of the above orders but suspend its application subject to such condition as the Board may think fit for a period or periods in the aggregate not exceeding two years.

33. (1) When written information is received by the Registrar that a person, in this Part referred to as the "respondent", who is included in the Register

(a) Has been convicted in Malaysia or elsewhere of any offence punishable with imprisonment (whether in itself only or in addition to or in lieu of a fine);

(b) Has been guilty of infamous conduct in any professional respect;

(c) Has obtained registration by fraud or misrepresentation;

(d) Was not at the time of his registration entitled to be registered; or

(e) Has been removed from the register of nurses maintained in any place outside Malaysia,

the Registrar, after making such further inquiries as she thinks necessary, may refer the matter to the Board.

(2) The Registrar may decline to act on any written information unless the evidence in its support (other than evidence of a conviction) is verified by statutory declaration.

(3) Before referring any case to the Board, the Registrar shall invite the respondent to furnish any written statement or explanation which he may wish to offer.

(4) In any case in which it is proved to the Board by a certificate of a competent officer of the court in which proceedings took place that the respondent has been convicted of any offence and has been sentenced to a term of imprisonment, and such conviction has not been quashed on appeal, the Board may forthwith and without further inquiry remove the name of the respondent from the Register and require him to surrender his certificate of registration and badge, if any, to the Board.

(5) In any other case, the Registrar shall cause the necessary steps to be taken for verifying the evidence, obtaining relevant documents, and securing the attendance of witnesses before the Board.

(6) The Registrar shall send the respondent a notice in writing in the form as set out in the Seventh Schedule, specifying the nature and particulars of the charge against him, informing him of the time and
place of the meeting at which such charge will be investigated by the Board and requiring him to send or deliver to the Registrar his certificate of registration and badge, if any, not later than the date on which the hearing will take place.

(7) The notice referred to in sub-regulation (6) shall be sent by registered post to the registered address of the respondent, or, if the Registrar has reason to believe that address is not his present address, to any later address which may be known to the Registrar, and shall be posted at least twenty-one clear days before the hearing.

34. (1) The case shall be heard at a meeting of the Board of which at least seven days’ notice shall be given by the Registrar to each member of the Board, and the respondent shall be entitled to be present and be represented by a friend or by an Advocate and Solicitor.

(2) If the respondent intends to be represented by an Advocate and Solicitor not less than seven days’ notice of such intention shall be given to the Registrar.

(3) At the hearing of the case the Registrar or any other person appointed by the Board for the purpose shall first state to the Board the facts of the case and the charge against the respondent, and shall then submit to the Board the evidence received in support of the charge.

(4) The respondent or his representative shall be entitled to cross-examine any witness appearing against him on matters relevant to the charge.

(5) When the statement of the charge and the evidence in support thereof is concluded, the respondent or his representative shall be invited by the Chairman to address the Board and to tender evidence in answer to the charge.

(6) Any Advocate and Solicitor or other person appointed by the Board for the purpose shall be entitled to cross-examine any witness tendered in answer to the charge, and to reply upon the whole case, after the respondent or his representative has replied.

(7) If the respondent does not attend, either personally or by representative, the Board may proceed to hear and determine the case in his absence.

(8) Upon the conclusion of the case the Board shall, after consideration of the relevant evidence, pronounce its decision forthwith or at a later date in writing.

35. (1) The registrar shall forthwith communicate with the respondent by registered letter informing him of the decision of the Board.
(2) In the case of a decision to suspend the name of the respondent from the Register, the Board shall retain his certificate of registration and badge, if any.

(3) In the case of a decision to remove the name of the respondent from the Register, the Board shall delete the respondent’s name from the part of the Register in which it is included and shall cancel his certificate and badge, if any.

36. If the name of a person is removed from any part of the Register under regulations 33 to 35 inclusive and if the Board is aware that person is or was registered in the register of any Nursing Council or Nursing Board of another country, the Registrar shall forthwith notify the Council or Board, as the case may be, of the removal of the name of that person.

37. (1) If the Board is notified by any Council or Board referred to in regulation 36 that the name of any person who was included in the register of the Council or Board has been removed from it by reason of a finding of the Council or Board that person has been guilty of any misconduct, and the Registrar finds that person is also registered in any part of the Register, he shall inform the person in writing by registered letter that the Board has received such notification, and shall inquire of him whether he desires to show cause why his name should not also be removed from the Register.

(2) If no answer is received by the Registrar within a reasonable time, having regard to the registered address of the person, or if the person replies that he does not desire to show cause, then the Board shall at its next convenient meeting direct the name of the person to be removed from Register.

(3) If the person replies that he desires to show cause, the Register shall refer the matter to the Board and the Board shall proceed to deal with the matter as if the notification was written information received in accordance with the provisions of regulation 33.

(4) The decision of the Board and the fact of removal of the name of the person from the Register, if such be the case, shall, as soon as possible, be notified to the Council or Board concerned.

PART VII

RESTORATION OF NURSE TO REGISTER
38. (1) When the name of a person has been removed from the Register under Part VI of these Regulations any application for restoration to the Register shall be made by him in writing addressed to the Registrar stating the grounds on which the application is made.

(2) The application shall contain the names and addresses of two or more persons (of whom two shall be justices of the peace, registered medical practitioners or registered nurses) able and willing to identify the applicant and give evidence as to his characters, the nature of his employment both before and since the date of the removal, and other evidence as the Board may require.

(3) The Board may require the applicant to verify by a statutory declaration any statement made by him and may require the applicant to attend in person at a meeting of the Board, or of any committee of the Board, at which his restoration is to be considered.

39 If upon consideration of the application and of the evidence furnished in support of it the Board is satisfied that the name of the applicant should be restored to the Register it may direct this to be done, and upon payment by the applicant of a fee of fifty ringgit his name shall be reinstated in the appropriate part of the Register, and a new certificate shall be issued to him.

40. If a person is restored to any part of the Register after his removal therefrom under regulations 33, 34, 35 and 37 and if the Board is aware that person is or was registered in the register of any Nursing Council or Nursing Board, as the case may be, of another country, the Registrar shall, as soon as possible, notify the Council of Board of the restoration.

41. (1) If the Board is notified by any Council or Board referred to in regulation 40 that the Council or Board has restored to its register a person whose name it had removed from the register and if the Registrar finds that the name of that person was also removed from the Register he shall report the matter to the Board.

(2) If the Board, having regard to all the circumstances of the case, thinks fit, it may likewise restore the name of the person referred to in sub-regulation (1) to the Register if he applies in that behalf and conforms to such of the provisions of regulations 38 and 39 as the Board may require.
(3) In the event of the Board restoring the name of a person to the Register under this regulation, the Registrar shall, as soon as possible, notify the fact of such restoration to the Council or Board concerned.

42. Regulations 36, 37, 40 and 41 shall also apply, as in the opinion of the Board the circumstances so require, to any person whose name is included in the Register in pursuance of subsection (2) of section 6 of the Act.

PART VIII
PROCEDURE OF BOARD AND COMMITTEES

43. (1) The Chairman may at any time convene a meeting of the Board.

(2) If the Chairman is not present at any meeting of the Board, the Board shall appoint a member to preside at such meeting.

44. The quorum of the Board shall be seven members

45. Minutes of the proceedings of the Board shall be recorded in a book provided for the purpose

46. No business, other than routine business, which is not upon the agenda paper shall be discussed at any meeting of the Board unless the Chairman declares such business to be of an urgent nature.

47. Every question shall be decided on a show of hands by a majority of members present and in the case of an equality of votes the Chairman shall have a casting vote in addition to his deliberative vote.
48. No resolution of the Board shall be altered or rescinded at a subsequent meeting except on a notice of motion of which a copy has been sent out to members by the Chairman at least ten clear days before such meeting.

49. The Chairman of the Board shall decide upon any point of order of procedure and his decision shall be final.

50. The Board may delegate to a committee, with such restrictions and qualifications, if any, as it thinks fit, all or any of its powers except the powers of imposing disciplinary punishments or restoring a nurse to the Register.

51. The rules of procedure for the Board shall, so far as they are capable of application, apply to the procedure of any committee appointed by the Board.

52. All minutes, registers and records shall be open to the inspection of any member of the Board.

53. (1) The Board shall have a common seal in such form as may be approved by the Board, and the Board may from time to time break, change, alter and make a new such seal as it shall think fit.

(2) All documents and other instruments requiring the seal of the Board shall be sealed with the seal of the Board in the present of the Secretary of the Board.

54. If any question or matter arises which is not provided for by these Regulations, such question or matter shall be decided by the Board, and the decision of the Board shall be final.

PART IX
REVOCATION

55. The Nurses Registration Regulations 1956 are revoked.

FIRST SCHEDULE

NURSES REGISTRATION REGULATIONS 1985

(Regulation 5)

REGISTER OF NURSES PARTICULARS TO BE ENTERED

Each part to the Register (general and supplementary) shall show the following particulars in respect of every nurse admitted:

1. Registered number.
2. Date of registration.
3. Name, and if married, maiden name
4. Permanent address.
5. Qualifications. These will show whether the registration is “by examination” (with place and date of examination) or “by registration in a place outside Malaysia” (with particulars of place and date).
6. Particulars of training
7. Signature of Registrar.
8. Remarks – such as change of address.