



BELIZE

**NURSES AND MIDWIVES REGISTRATION ACT
CHAPTER 321**

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CHAPTER 321**NURSES AND MIDWIVWS REGISTRATION****ARRANGEMENT OF SECTIONS**

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CHAPTER 321

NURSES AND MIDWIVES REGISTRATION

CAP.253,
R.E. 1980-1990.
5 of 1989.
15 of 2004.

[17th July, 1989]

Short title.

1. This Act may be cited as the Nurses and Midwives Registration Act.

Interpretation.

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

“Council” means the Nurses and Midwives Council established by section 3 of Act;

15 of 2004.

“Council for Human and Social Development” means the body of The Caribbean Community established by that name;

“Minister” means the Minister for the time being charged with responsibility for Health;

“nurse” means a person who has completed a programme of basic generalised nursing education from a recognised school of nursing and is authorised by the appropriate regulatory authority to practise nursing in his country and includes a professional nurse, a nurse with expanded roles, or a practical nurse;

“register” means the register maintained by the Council under section 4 (1) of this section;

“Registrar” means the Registrar of the Council appointed under section 6 of this Act.

3.-(1) There is hereby established a Nurses and Midwives Council for Belize (in this Act referred to as “the Council”), which shall be a body corporate by that name with perpetual succession and a common seal.

Establishment
etc., of Nurses and
Midwives Coun-
cil.

(2) The Council shall be constituted in accordance with the provisions in the First Schedule.

(3) The seal of the Council shall be authenticated in the prescribed manner and any document purporting to be sealed with the authenticated seal shall be receivable in evidence of the particulars stated in that document.

4.-(1) It shall be the duty of the Council to keep a register of professional nurses, nurses with expanded roles, midwives and practical nurses subject to, and in accordance with, this Act.

Register of nurses
and midwives.

(2) The register referred to in subsection (1) of this section shall consist of the following parts,

- (a) a general part containing the names of all nurses who satisfy the conditions for admission to that part of the register maintained for professional nurses;
- (b) a special part containing the names of all nurses who satisfy the conditions for admission to that part of the register maintained for nurses with expanded roles: a separate list shall be maintained for each category of specialist training;
- (c) a general part containing the names of all midwives who satisfy the conditions for admission to that part of the register maintained for midwives: this part of the register shall be kept in two sections - one for professional nurses with midwifery qualifications, and one for practical midwives;

- (d) a general part containing the names of all practical nurses who satisfy the conditions for admission to that part of the register maintained for practical nurses;
- (e) any other prescribed part.

(3) A certificate under the seal of the Council duly authenticated in the prescribed manner stating that any person is, or was at any date, duly registered under this Act shall be evidence in all courts of law of the fact stated 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.

Rules.

5.-(1) The Council may make rules for 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 matter ancillary to or connected with any such examination;
- (d) for regulating and controlling the conduct of nurses and midwives;
- (e) for prescribing the causes for which, the conditions under which, and the manner in which nurses or midwives may be fined, suspended or removed from the register, the

procedure for the restoration to the register of nurses or midwives who have been removed therefrom, and any fee to be payable on such restoration;

- (f) for regulating the summoning of meetings of the Council and the proceedings (including quorum) of the Council;
- (g) for enabling the Council to constitute committees and for authorising the delegation to committees of any of the powers of the Council, and for regulating the proceedings (including quorum) of committees;
- (h) generally for making provision with regard to any matters with respect to which the Council considers that provision should be made for the purpose of carrying this Act into effect (including provision with respect to the issue of certificates to nurses or midwives registered under this Act and with respect to the uniform or badge which may be worn by nurses or midwives so registered), and for prescribing anything which under this Act is to be prescribed.

(2) Rules 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 training and shall possess the experience prescribed for admission to that part of the register for which application is made;

(b) requiring that the prescribed training shall be carried out in an institution approved by the Council in that behalf.

(3) Rules made by the Council shall not take effect until they have been approved by the Minister.

Appointment etc., of Registrar and other officers.

6.-(1) The Council may, with the consent of the Minister, appoint a person to be the Registrar of the Council and such other officers and servants as it and considers necessary for the proper carrying out of the purposes of this Act. All persons shall be appointed on such terms and conditions as the Minister may approve.

(2) Any expenses incurred by the Council in carrying this Act into effect, including expenses in connection with examinations under this Act, shall be defrayed out of the sums received by the Council under this Act.

(3) The accounts of the Council shall be audited in such manner, and by a person, as the Council may, subject to the approval of the Minister, from time to time direct, and copies of the accounts and of any report made on the accounts shall be transmitted to all the members of the Council and to such other persons as the Council may direct.

(4) The funds of the Council shall consist of such moneys as may from to time be placed at its disposal by the National Assembly and such other moneys as may lawfully be received by the Council.

Fees.

7.-(1) There shall be paid to the Council in respect of every application to be examined or to be registered under this Act, and in respect of the retention in any year of the name of any person on the register, such fees respectively as the Council may, with the approval of the Minister, from time to time determine.

(2) The Council may charge for any certificate or other document issued, or in respect of any services performed by them, such fees as may be prescribed.

8.-(1) Any person who proves to the satisfaction of the Council that he has been registered as a professional nurse, nurse anaesthetist, nurse practitioner, or public health nurse or as possessing other specialist training for an expanded role recognised by the Council, or a professional or practical midwife or a practical nurse in any part of the Commonwealth or in any foreign country, may be registered under this Act on making application in the prescribed manner and paying such fee not greater than the fee payable on ordinary application for registration under this Act, as the Council may prescribe,

Admission to register of persons trained outside Belize.

Provided that,

- (a) there shall be in force in such place an enactment, or a provision of any kind having the force of law, providing for the registration of professional nurses, nurse anaesthetists, nurse practitioners, public health nurses or any other category of nurses with expanded roles recognised by the Council, or professional or practical midwives or practical nurses under some public authority;
- (b) the Council is satisfied that the standard of the courses and the examination required for admission to the register established under the said enactment or provision shall not be lower than the standard of training and examination required for admission under the corresponding section of the register kept under this Act.

(2) Where there is a reciprocal agreement concerning nurses between Belize and any part of the Commonwealth or any foreign country, any person, who proves to the satisfaction of the Council that he is registered in such part of the Commonwealth or foreign country either generally as a professional nurse or as a nurse of some special class recognised by the Council, shall be entitled on

making application in the prescribed manner and on payment of such fee, not greater than the fee payable on ordinary application for registration under this Act, as the Council may prescribe, to be registered under this Act.

(3) Any person who proves to the satisfaction of the Council,

(a) that he holds a diploma or licence from any nursing school, hospital or other institution in Great Britain or Ireland having authority to grant it, and is by law entitled to practice midwifery in Great Britain or Ireland; or

(b) that he holds a certificate or licence from any part of the Commonwealth or a foreign country recognised for the time being by the Council or the Council for Human and Social Development, as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of midwifery, and is by law entitled to practice midwifery in the Commonwealth or such foreign country,

shall be entitled, on making an application in the prescribed manner and paying a fee not greater than the fee payable on ordinary application for registration under this Act, as the Council may prescribe, to be registered under this Act.

(4) The Council may register on a temporary basis any professional nurse or any nurse of any special class entering Belize to work in an approved programme. The Council may impose such restrictions as it may deem fit on the grant of such temporary registration.

15 of 2004.

9.-(1) There shall be appointed by the Minister by Order published in the *Gazette*, after consultation with the Public Services Commission, a Nursing Appeal Tribunal to hear and determine all complaints referred to in this section.

Establishment of
Tribunal.

(2) The Tribunal shall consist of a Chairperson and two other members, one of whom shall be a professional nurse.

(3) The Chairperson and the members of the Tribunal shall hold office for such period as the Minister may, after consultation with the Public Services Commission, determine.

(4) The Tribunal may act by any two of its number and by that number shall form a quorum.

(5) Subject to this section, the Tribunal may, with the approval of the Minister, make rules regulating its procedure.

(6) Any person aggrieved by the removal of his name from the register or by the refusal to register him may, within ninety days from the date of receipt of notice by him, prefer an appeal against the decision of the Council to the Tribunal as constituted under this section.

(7) On every appeal, the Tribunal shall give its decision in writing and shall cause it to be published in the *Gazette*.

10.-(1) Any person who,

Penalties for violation of the Act.

(a) not being a person duly registered under this Act, practices as a nurse or takes or uses the name or title of the title of professional (or registered) nurse, nurse anesthetist, nurse practitioner, public health nurse or any nurse specially designated as having an expanded role recognised by the Council, or professional or practical midwife or practical nurse, either alone or in combination with any other words or letters or any name, title, description, addition or badge implying that he is duly registered under this Act or is recognised by law as being a nurse in one of the above categories;

(b) being a person whose name is included in any part of the register, at any time takes or uses any name, title, addition, description or otherwise does any act of any kind implying that his name is included in some other part of the register; or

(c) at any time with intent to deceive, makes use of any certificate of registration as a professional nurse, nurse anesthetist, nurse practitioner, public health nurse or nurse with any other specially designated expanded role, or professional or practical midwife or practical nurse, issued to him or any other person under this Act, commits an offence and is, on summary conviction, in the case of a first offence, liable to a fine not exceeding five hundred dollars and in the case of a second or subsequent offence, liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and term of imprisonment.

(2) If any person willfully makes, or causes to be made, any falsification in any matter relating to the register, he commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months, or to both such fine and term of imprisonment.

Fines.

11. Any sum or sums of money arising from summary conviction shall be paid into the Consolidated Revenue Fund.

Deposit of Council's moneys at bank.

12. The Registrar of the Council shall deposit all moneys received on behalf of the Council to an account to be kept in the name of the Council at a local bank.

Repeal 27 of 1963.

13. The Nurses and Midwives Registration Act, 1963 is hereby repealed.

FIRST SCHEDULE

NURSES AND MIDWIVES
REGISTRATION ACT

Composition and Tenure of the Council

[Section 3 (1)]

1. The Council shall consist of,
 - (a) the Principal Nursing Officer,
the Matron Grade I,
the Principal Tutor of the School of
Nursing,
the Supervisor of Public Health Nurses,
the Inspector of Midwives,
the Matron Grade II,
the Senior Public Health Nurse,
the President of the Nurses Association of
Belize,
who shall be *ex officio* members of the
Council;
 - (b) three members of the Nurses Association of
Belize, one of whom shall be a nurse with an
expanded role, elected according to the rules
set out in the Second Schedule; and
 - (c) two representatives of the public, one of whom
shall be a professional nurse, appointed by the
Minister.

2. The names of the persons appointed by the Minister and the
members of the Nurses Association of Belize, elected by financial
members of the Association from among their number in accordance
with the rules set out in the Second Schedule, shall be published by
the Registrar of the Council in the *Gazette*.

3. The elected and appointed members of the Council shall hold office for a term of three years from the expiry of the term of office of their predecessors in office. Elected members may at any time before the expiration of their term be removed by a resolution of the Nurses Association of Belize.
4. If the place of an appointed or elected member of the Council becomes vacant before the expiry of his term of office, whether by death, resignation or otherwise, the vacancy shall be filled, in the case of an appointed member, by appointment of another person similarly qualified, by the person by whom the vacating member was appointed, and in the case of an elected member, by the election of another person qualified to represent the same interests as those represented by the vacating member. Any person so appointed or elected shall hold office for only so long as the member in whose stead he is appointed, or elected, would have held office.
5. Any appointed or elected member of the Council shall be eligible for re-appointment or re-election, as the case may be, to a further term of office.
6. The representatives of the public appointed by the Minister shall hold office for such period as the Minister may determine at the time of making the appointments, but the Minister may at any time cancel the appointments and appoint other persons similarly qualified to the Council.
7. The powers of the Council may be exercised notwithstanding any vacancy in their number.
8. An appointed member may resign from the Council by letter addressed to the Minister, and an elected member may resign from the Council by letter addressed to the Chairperson of the Council.
9. If an ex officio member of the Council is prevented, by illness, temporary absence from Belize or any other cause, from serving on the Council, and no officer has been appointed to act in his office, the Minister may appoint another officer to the Council to act in

his stead until such member is again able to serve on the Council, or until some other officer is appointed to perform the duties of his office, whichever is the earlier.

10. If an appointed or elected member of the Council is prevented, by illness, temporary absence from Belize or any other cause, from serving on the Council, the Council may, in its discretion, ask the person or body, by whom that member was appointed or elected, to appoint or elect another person, as the case may be, to act in the place of the member until such member is again able to perform his duties, or ceases to be a member of the Council, whichever is the earlier.

SECOND SCHEDULE

NURSES AND MIDWIVES
REGISTRATION ACTNurses and Midwives
(Election to Council) Rules*[Paragraphs 1 (b) and 2 of First Schedule]*

- Short title. **1.** These rules may be cited as the Nurses and Midwives (Election to Council) Rules.
- Interpretation. **2.** In these rules,
 “Association” means the Nurses Association of Belize;
 “Committee” means the Nominating Committee elected under rule 3 of these rules;
 “Council” means the Nurses and Midwives Council for Belize;
 “financial member” means a member of the Association who is not in arrears with his subscription to the Association;
 “President” means the President of the Association;
 “Secretary” means the Secretary of the Association.
- Nominating Committee. **3.** The Association shall elect from among its members a Nominating Committee of four members. It shall be the duty of the Nominating Committee to propose candidates for election to the Council.
- Eligibility for voting of election. **4.** Only financial members of the Association shall be eligible for election to the Council or to vote at such an election.

5.-(1) Whenever it becomes necessary to elect members to serve on the Council, the Committee shall nominate at least seven nurses, two of whom must be nurses with expanded roles, as candidates for election.

Nominations.

(2) At least seven days before any meeting at which an election to the Council is to be held, the Secretary shall send by post to every financial member of the Association a list of the candidates nominated for election.

6.-(1) Elections shall be under the control of the Secretary who shall make all arrangements and be responsible for the conduct of elections.

Elections.

(2) Voting shall be by secret ballot on ballot papers supplied by the Secretary among those members of the Association entitled to vote who are present at the meeting during which the election is held.

(3) The Secretary shall call the names of all the eligible members, and each such member who desires to vote shall cast his vote by secret ballot.

(4) When all the eligible members who wish to do so have voted, the President shall examine the ballot papers with the assistance of the Secretary, and report the ballot.

(5) The Secretary shall notify the Chairperson of the Council of the result of any election within forty-eight hours of the holding thereof.