

AS AMENDED IN THE H.O.R.

No. 2 of 2014

Fourth Session Tenth Parliament Republic of
Trinidad and Tobago

HOUSE OF REPRESENTATIVES

BILL

AN ACT to amend the Nurses and Midwives
Registration Act, Chap. 29:53

THE NURSES AND MIDWIVES REGISTRATION
(AMENDMENT) BILL, 2014

Explanatory Note

(These notes form no part of the Bill but are intended only to indicate its general purport)

This Bill seeks to amend the Nurses and Midwives Registration Act, Chap. 29:53 by introducing a new category of nurses to be known as an “advanced practice nurse” and for whom there shall be created a new register.

Clause 1 of the Bill would provide the short title of the Bill.

Clause 2 of the Bill would provide the interpretation of “the Act”.

Clause 3 of the Bill seeks to amend the long title of the Act.

Clause 4 of the Bill seeks to amend the short title of the Act.

Clause 5 of the Bill seeks to amend section 2 of the Nurses and Midwives Registration Act (hereinafter referred to as “the Act”) by inserting in the appropriate alphabetical sequence new definitions.

Clause 6 of the Bill would provide for new sections 3A and 3B to be inserted after section 3 of the Act. Section 3A would provide for the functions of the Council whilst section 3B would provide for the powers of the Council.

Clause 7 of the Bill seeks to repeal section 4 of the Act and substitute a new section 4 which would make provision for the composition of the Council.

Clause 8 of the Bill would provide for the insertion of a new section 4A which would make provision for election of a new Council.

Clause 9 of the Bill seeks to amend section 5 of the Act by inserting a new subsection (8) which would allow the Council to appoint non-members of the Council to become members of its committees.

Clause 10 of the Bill would provide for a new section 8A which would make provision for a Registrar of the Council.

Clause 11 of the Bill seeks to amend section 15 of the Act in order to create a new register for the category of advanced practice nurses by deleting in subsection (1) the words “a register to be known as the Register of Nurses” and substituting the following words “registers to be known as the Register of Nurses and the Register of Advanced Practice Nurses”.

Subsections (2) and (3) of the Act are also to be amended to reflect the implementation of a new register of Advanced Practice Nurses.

Additionally, clause 11 of the Bill further seeks to amend section 15 of the Act by inserting five new subsections.

Proposed subsection (4) would ensure that the Register of Advanced Practice Nurses contains the particulars of persons entered therein.

Proposed subsection (5) would provide that where the name of a person is not entered in the Register of Advanced Practice Nurses, that person shall not be deemed an advanced practice nurse.

Proposed subsection (6) would provide that names appearing in the Register of Advanced Practice Nurses may also appear in the Register of Nurses.

Proposed subsection (7) would provide for the removal of the name of a nurse or an advanced practice nurse under section 18 of the Act.

Proposed subsection (8) would provide that notwithstanding the removal of the name of an Advanced Practice Nurse from the applicable register, the name may be retained on the Register of Nurses.

Clause 12 of the Bill seeks to amend section 16 of the Act by repealing subsections (2), (3), (4) and (5) and substituting new subsections (2) and (3), which would provide for the registration of qualified, fit and proper persons.

Clause 13 of the Bill seeks to insert new sections 16A and 16B into the Act. Section 16A would provide for persons being granted provisional Nurse’s or Midwives’ Certificates as well as the conditions for such grant. Section 16B would provide for a provisional Nurse’s Roll on which the names of the persons granted provisional certificates under section 16A shall be entered.

Clause 14 of the Bill seeks to amend section 17 by inserting a new subsection (1A) after subsection (1). Subsection (1A) would provide for the Council issuing persons whose names are on the Register of Advanced Practice Nurses with a licence to practise.

Clause 14(b) would seek to repeal subsection 17(2) of the Act and substitute a new subsection (2) which would provide for the Council being able to suspend and restore a person's certificate or licence depending upon the payment of the annual registration fee by 30th September of each year.

Clause 14(c) seeks to increase the fine and imprisonment for a first offence from five hundred dollars or to six months imprisonment to ten thousand dollars and one year imprisonment. The fine for a second offence would also be increased from "one thousand dollars" to "fifteen thousand dollars".

Clause 14(d) would provide for the insertion of a new subsection (4), which seeks to make it an offence for anyone to practise as an advanced practice nurse after their certificate of registration has been suspended. Upon summary conviction, the fine for a first offence is twenty thousand dollars or imprisonment for three years, and in the case of a second or subsequent offence, the fine would be twenty-five thousand dollars or to imprisonment for five years.

Clause 15 of the Bill seeks to amend section 19 of the Act to insert the new category of "Advanced Practice Nurse". The clause would also alter the fine and imprisonment term.

Clause 16 of the Bill seeks to amend section 21 of the Act, by repealing subsections (2) and (3) and substituting new subsections. Subsection (2) seeks to provide for the conditions required for a person to be entered on the Register, whilst new subsection (3) seeks to clarify who would be considered a "fit and proper person".

Clause 17(a) of the Bill seeks to amend section 22 of the Act by repealing subsection (2) and replacing it with a new subsection (2). New subsection (2) would allow the Council to suspend a person's certificate of licence for failure to pay the annual registration fee. The Council would also be able to restore a licence or certificate once the fee has been paid, in addition to any other fine which they may deem necessary.

Clause 17(b) of the Bill seeks to amend section 22 of the Act by increasing the fine and imprisonment terms for a midwife to practise when her licence has been suspended.

Clause 18 of the Bill seeks to amend section 24 of the Act by increasing the fine and imprisonment term for a midwife who fails to inform the Secretary of the Nursing Council within the stipulated time that his registration has been suspended or cancelled.

Clause 19 of the Bill seeks to amend section 25 of the Act by increasing the fine and imprisonment term for a midwife who fails to give the required notice of an intention to practise in a district as well as the districts in which she has resided and in which she has practised in the preceding year.

Clause 20 of the Bill seeks to amend section 29 of the Act by increasing the fine from two thousand dollars to five thousand dollars for a person who falsely conveys the impression of being a midwife.

Clause 21 of the Bill seeks to amend section 31 of the Act by increasing the fine for an unqualified person who acts as a midwife or assists a woman in childbirth other than under a professional supervision.

Clause 22 of the Bill seeks to insert a new section 32A after section 32 of the Act. This new section would provide that the term “midwife” shall also include a “male” midwife.

Clause 23 of the Bill seeks to amend section 35 of the Act by increasing the fines and imprisonment for a Nursing Assistant to practise after his certificate has been suspended and in the case of a second or subsequent offence, the fine has also been increased.

Clause 24 of the Bill seeks to amend section 41 of the Act by inserting after section 41(2)(a), new paragraphs which would permit the Council to prescribe the conditions and qualifications of persons who may be registered as Advanced Practice Nurses.

The clause would also insert a new paragraph after section 41(2)(b) which would allow the Council to prescribe the standards for continuous education and training of Advanced Practice Nurses and Midwives.

Additionally, the clause would also allow the Council to regulate and define the nature of the services performed by Advanced Practice Nurses in paragraph (d).

Clause 25 of the Bill would seek to amend section 44 of the Act by giving the Council the authority to also restore the names of Advanced Practice Nurses from the Register of Advanced Practice Nurses.

Clause 26 of the Bill seeks to amend section 47 of the Act by making it an offence for anyone to make any falsifications on the Register of Advanced Practice Nurses.

Clause 27 of the Bill seeks to amend section 48 of the Act by permitting the Council to also approve the design or description of any badge or uniform to be worn by Advanced Practice Nurses.

Clause 28 of the Bill seeks to amend section 49 of the Act by providing that the Secretary of the Nursing Council should also give notice to Advanced Practice Nurses of refusal of application for registration or of order of removal or suspension from the Register of Advanced Practice Nurses.

Clause 29 of the Bill seeks to insert new sections 51A and 51B after section 51 of the Act. Proposed section 51A seeks to deal with “Times of Emergency” wherein the Minister may permit, by Order, a person who is registered to practise nursing or midwifery in his governing country, to provide specific skills and technology in Trinidad and Tobago as if he had been issued a licence to practise under this Act. The Order would specify the time period, for which this would be permitted.

Section 51B would also provide that the Minister may, by Order, permit nursing personnel who are registered to practise nursing or midwifery in their governing country and who are part of a planned visiting education or teaching programme or medical visiting treatment team, to provide specific skills and technology to practise as if a licence had been issued under this Act.

Clause 30 of the Bill seeks to make a general amendment by deleting the words “is guilty of” throughout the Act and substituting the word “commits”. This clause also seeks to make a general amendment in the Act by inserting before the words “is liable on” the words “commits an offence and”. This amendment is in keeping with our current legislative language.

Clause 31 of the Bill would seek to provide that where in any written law there is a reference to the “Nurses and Midwives Registration Act”, such reference shall now be substituted with a reference to the “Nursing and Midwives Act”.

THE NURSES AND MIDWIVES (AMENDMENT) BILL, 2014

Arrangement of Clauses

Clause

1. Short title
2. Interpretation
3. Long title amended
4. Short title amended
- 5. Section 2 amended**
6. Sections 3A and 3B inserted
7. Section 4 repealed and substituted
8. Sections 4A inserted
9. Section 5 amended
10. Section 8 amended
11. Section 15 amended
- 12. Section 16 amended**
- 13. Sections 16A and 16B inserted**
14. Section 17 amended
15. Section 19 amended
- 16. Section 21 amended**
17. Section 22 amended
18. Section 24 amended
19. Section 25 amended
20. Section 29 amended
21. Section 31 amended
22. Section 32A inserted
23. Section 35 amended
- 24. Section 41 amended**
25. Section 44 amended
26. Section 47 amended
27. Section 48 amended
28. Section 49 amended
29. Sections 51A and 51B inserted
30. Act amended
31. References to Act substituted

BILL

AN ACT to amend the Nurses and Midwives
Registration Act, Chap. 29:53

[, 2014]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:

1. This Act may be cited as the Nurses and Midwives Short title
Registration (Amendment) Act, 2014.

2. In this Act, “the Act” means the Nurses and Interpretation
Midwives Registration Act. Chap. 29:53

Long title amended **3.** The long title to the Act is deleted and the following long title is substituted:

“An Act to provide for the Registration and Regulation of Advance Practice Nurses, Midwives, Nurses, Nursing Assistants and other recognized specialties and for matters connected therewith”.

Short title amended **4.** The Act is amended in section 1, by deleting the words “The Nurses and Midwives Registration” and substituting the words “The Nurses and Midwives”.

Section 2 amended **5.** The Act is amended in section 2, by inserting in the appropriate alphabetical sequence the following definitions:

“ “advanced practice nurse” means a person who is registered as an advanced practice nurse under section 17;

“Minister” means the Minister to whom responsibility for health is assigned;

“nurse intern” means a person who is granted a Provisional Certificate under section 16A;

“nursing personnel” means an advanced practice nurse, a nurse, midwife and nursing assistant;

“registered nurse” means a person who is registered as a nurse under section 17.”

Sections 3A and 3B inserted **6.** The Act is amended by inserting after section 3, the following new sections:

“Functions of the Council **3A.** The functions of the Council are to—
 (a) open and maintain the registers or rolls required under this Act;
 (b) register, enrol, certify and licence nursing and midwifery personnel in accordance with this Act;

- (c) determine, in collaboration with the Minister, the qualifications necessary for registration, enrollment certification and licensing of nursing personnel;
- (d) set standards for the education and practice of nursing and midwifery personnel;
- (e) develop a code of ethics and conduct for nursing personnel;
- (f) monitor the adherence to, and investigate breaches of, standards and the code of ethics and conduct;
- (g) promote the interest of the nursing profession;
- (h) advise the Minister on the requirements for securing continuing competence of the registered nurse and enrolled nursing assistant under this Act;
- (i) advise the Minister with respect to amendments to the law relating to nursing and midwifery, as it considers necessary; and
- (j) perform such other functions as may be conferred on it by this Act or any other written law.

Powers of the Council 3B. In exercise of its functions under section 3A, the Council shall have the power to—

- (a) register or enroll nursing personnel;
- (b) issue certificates or licences to nursing personnel;
- (c) cancel certificates or revoke licences where applicable of nursing personnel;
- (d) suspend or place conditions on the licence to practise;

- (e) set standards for education and practice of nursing and midwifery in consultation with the Accreditation Council of Trinidad and Tobago;
- (f) examine applicants as a prerequisite to initial registration;
- (g) verify the authenticity of certificates and other documents in support of applications under this Act;
- (h) establish such committees as are necessary for the discharge of the functions of the Council; and
- (i) collect monies for fees required to be paid under this Act.”.

Section 4 repealed
and substituted

7. The Act is amended by repealing section 4 and substituting the following section:

“Composition
of Council

4. Subject to section 4A, the Council shall comprise fifteen persons, as follows:

- (a) six persons appointed by the Minister as follows:
 - (i) an Attorney-at-law;
 - (ii) a person with qualifications and experience in nursing administration;
 - (iii) a person with qualifications and experience as a nursing educator;
 - (iv) a person registered under this Act, nominated by the Tobago House of Assembly;
 - (v) a representative of the Minister; and
 - (vi) a member of the public who is not an advanced practice nurse, midwife, nurse or nursing assistant; and

(b) nine persons elected as follows:

- (i) five nurses elected from among their own number by the persons who are registered as nurses under this Act at the date of the election;
- (ii) one person elected from among their own number by the persons who are registered as midwives under this Act at the date of the election;
- (iii) two persons elected from among their own number by the persons who are registered as mental health nurses under this Act at the date of the election; and
- (iv) one person elected from among their own number by the persons who are enrolled as nursing assistants under this Act at the date of the election.”.

8. The Act is amended by inserting after section 4 the Section 4A inserted following new section:

“New Council 4A. (1) Subject to subsection (2), the members of the Council holding office immediately before the commencement of the Nurses and Midwives Registration (Amendment) Act, 2014 shall continue to hold office for six months from the date of such commencement.

(2) The Council shall hold elections for members of a new council under section 4(b) within the six-month period specified under subsection (1).

(3) The Minister shall appoint persons under section 4(a), upon the expiration of the six-month period specified under subsection (1).”.

Section 5 amended

9. The Act is amended in section 5, by inserting after subsection (7), the following new subsection:

“ (8) The Council may appoint non-members of the Council to be members of its committees.”.

Section 8 amended

10. The Act is amended by inserting after section 8, the following new section:

“Registrar

8A.(1) The Council shall employ a suitably qualified person to be the Registrar of the Council.

(2) Where the Council employs a person under subsection (1), the Council shall publish such appointment in the *Gazette*.

(3) The Registrar shall, on behalf of the Council—

- (a) establish, keep and maintain Registers required to be kept under the Act;
- (b) issue certificates and licences;
- (c) cancel certificates and suspend or revoke licences;
- (d) add to, and remove names from, the Register;
- (e) receive fees required to be received under this Act; and
- (f) keep open Registers for public inspection at all times on payment of a prescribed fee.

(4) On the receipt of written instructions from the Council, the Registrar shall carry out his functions under subsection (3)(b), (c) and (d).

(5) Where the Council is empowered under this Act to—

- (a) create a Register;
- (b) issue certificates and licences;
- (c) cancel certificates and suspend and revoke licences;
- (d) add to, and remove names from, the Register; and
- (e) receive fees,

the Registrar appointed under subsection (1), shall carry out such functions on its behalf.”.

Section 15 amended

11. The Act is amended in section 15—

- (a) in subsection (1), by—
 - (i) deleting the words “a register, to be known as the Register of Nurses” and substituting the words “registers to be known as the Register of Nurses and the Register of Advanced Practice Nurses”; and
 - (ii) inserting after the words “as nurses” the words “or advanced practice nurses”;
- (b) in subsection (2), by inserting after the word “Register” the words “of Nurses or the Register of Advanced Practice Nurses”;
- (c) in subsection (3), by inserting after the word “Nurses” the words “and Register of Advanced Practice Nurses”; and
- (d) by inserting after subsection (3), the following new subsections:
 - “ (4) The Register of Advanced Practice Nurses shall contain the following particulars:
 - (a) the name and address of the advanced practice nurse;
 - (b) the area of expertise;

(c) the training, experience and qualification in the area of specialization; and

(d) the date of registration in the Register of Nurses.

(5) Any person whose name is not entered in the Register of Advanced Practice Nurses shall not hold himself out to be an advanced practice nurse.

(6) The name of an advanced practice nurse may appear on both the Register of Nurses and the Register of Advanced Practice Nurses.

(7) Where the Council cancels the registration of a nurse or an advanced practice nurse under section 18, it shall, as applicable, remove the name of the nurse or advanced practice nurse from the Register of Nurses or the Register of Advanced Practice Nurses.

(8) Notwithstanding the removal by the Council of the name of a person from the Register of Advanced Practice Nurses, the Council may retain the name of the person on the Register of Nurses.”.

Section 16
amended

12. Section 16 of the Act is amended—

(a) by repealing subsection (2) and substituting the following subsections:

“ (2)Any person who has—

(a) completed a course of training—

(i) in a recognized place of training under section 40; or

(ii) approved by the Accreditation Council of Trinidad and Tobago under the Accreditation Act; and

(b) passed the examination prescribed by the Council or any other nursing examining body recognized by the Accreditation Council,

and who establishes to the Council's satisfaction that he is a fit and proper person to be entered on the register as a nurse, shall on making application to the Council and upon compliance with the requirements of this Act, be entitled to be registered.

(2A) Where the Council receives an application under subsection (1) it shall, within six months of such receipt consider the application and give such directions in respect of the application as it thinks fit.

(2B) Where six months have elapsed since an application was received, and the Council has not considered the application under this section, an affected applicant may file a complaint with the Permanent Secretary in the Ministry with responsibility for health.

(2C) The Permanent Secretary under subsection (2B) shall refer the matter to the Chief Nursing

Officer in the Ministry with responsibility for health for investigation.

(2D) Upon receipt of the report from the Chief Nursing Officer on the matter, the Permanent Secretary shall forward the report to the Council requesting that action be taken on the complaint within a reasonable time.”; and

(b) by inserting after subsection (6), the following subsection:

“ (7) In determining if a person is a fit and proper person under this section, the Council shall consider if he—

(a) is of good character;

(b) is mentally and physically capable of performing satisfactorily, the duties of a nurse; and

(c) has the ability to understand, read and speak English.”.

Sections 16A and
16B inserted

13. The Act is amended by inserting after section 16 the following new sections:

“Provisional
Nurse’s or
Midwife’s
certificate 16A. (1) Subject to this section where, after January 1, 2008, a person has acquired a degree or diploma from a recognized place of training, such person shall be entitled to be granted a provisional certificate by the Council.

(2) A person who is granted a provisional certificate under this section shall be referred to as a “nurse intern”.

(3) A provisional certificate granted under subsection (1) shall entitle the holder thereof to only practise as a nurse while under supervision at a public hospital listed under the Regional Health Authorities Act.

(4) A nurse intern shall, within one year of his provisional registration, attempt a licensing examination conducted by the Council or the Regional Nursing Body.

(5) Where a nurse intern fails to attempt the examination under subsection (4) within fifteen months of the grant of the provisional certificate, the Council may revoke his certificate.

(6) A nurse intern who holds a provisional certificate may, during the life of the provisional certificate, attempt a licensing examination as many times as necessary until he is successful.

(7) A provisional certificate granted under this section shall be valid for four years after which the holder shall, if he has failed all certification examinations, be required to take a one-year remedial programme upon which he shall be required to submit himself to a certification examination.

(8) Where a nurse intern takes a remedial programme under subsection (7), his provisional certificate shall be valid for the period of the remedial programme.

(9) Where a nurse intern completes a remedial programme under subsection (7), he shall be issued a provisional certificate which shall be valid for two years.

(10) A provisional certificate can only be issued to a person for a maximum of two times.

(11) Where the Council receives an application for a provisional certificate, it shall within six months of such receipt consider the application and give such directions in respect of the application as it thinks fit.

(12) Where six months have elapsed since an application was received, and the Council has not considered the application under this section, an affected applicant may file a complaint with the Permanent Secretary in the Ministry with responsibility for health.

(13) The Permanent Secretary under subsection (12) shall refer the matter to the Chief Nursing Officer in the Ministry with responsibility for health for investigation.

(14) Upon receipt of the report from the Chief Nursing Officer on the matter, the Permanent Secretary shall forward the report to the Council requesting that action be taken on the complaint within a reasonable time.

Provisional
Nurse's Roll

16B. The Council shall keep for the purposes of this Part a roll to be known as "the Provisional Nurse's Roll", on which shall be entered the names of all persons who have been issued with provisional nurses' certificate to practise as a nurse in accordance with section 16A."

Section 17 amended

14. The Act is amended in section 17—

(a) by inserting after subsection (1), the following subsection:

" (1A) The Council shall, on entering the name of any person in the Register of Advance Practice Nurses, issue to such person a licence to practise as an advance practice nurse and such licence shall remain in force unless revoked or suspended.";

(b) by repealing subsection (2) and substituting the following subsection:

“ (2) Where a person fails to pay any annual registration fee which may be payable on 30th September of each year, the Council may suspend the certificate or licence of such person until such time as the payment of the fee and any fine so attached for non-payment is received by the Council, and the Council shall thereafter restore the validity of the certificate or licence.”;

(c) in subsection (3), by deleting the words “five hundred dollars or to six months” and “one thousand” and substituting the words “ten thousand dollars or to one year” and “fifteen thousand”, respectively; and

(d) by inserting after subsection (3), the following new subsection:

“ (4) A person who practises as an advanced practice nurse after his certificate of registration has been suspended under subsection (2), commits an offence and is liable on summary conviction to a fine of twenty thousand dollars or to imprisonment for three years and in the case of a second or subsequent offence, to a fine of twenty-five thousand dollars or to imprisonment for five years.”.

15. The Act is amended in section 19—

Section 19 amended

(a) in subsection (1), by inserting after the words “nurse” and “registered nurse” the words “or advanced practice nurse”; and

(b) in subsection (2), by—

(i) inserting after the words “nurse” and “registered nurse” the words “or advanced practice nurse”; and

(ii) deleting the words “two thousand” and substituting the words “ten thousand”.

Section 21 amended

16. The Act is amended in section 21, by repealing **subsection (2)** and substituting the following subsections:

- “ **(2) Any person who has—**
- (a) completed a course of training—**
 - (i) in a recognized place of training under section 40; or**
 - (ii) approved by the Accreditation Council of Trinidad and Tobago under the Accreditation Act; and**
 - (b) passed the examination prescribed by the Council or any other nursing examining body recognized by the Accreditation Council,**

and who establishes to the Council’s satisfaction that he is a fit and proper person to be entered on the register as a nurse shall, on making an application to the Council and upon compliance with the requirements of this Act, be entitled to be registered.

(2A) In determining if a person is a fit and proper person, under subsection (2), the Council shall consider if he—

- (a) is of good character;**
- (b) is mentally and physically capable of performing satisfactorily the duties of a nurse; and**
- (c) has the ability of a person to understand, read and speak English.”.**

(3) In determining if a person is a “fit and proper person” under subsection (2) the Council shall consider if he—

- (a) is of good character;
- (b) is mentally and physically capable of performing satisfactorily, the duties of a nurse; and
- (c) has the ability of a person to understand, read and speak English.”.

(4) Where the Council receives an application for a licence, it shall within six months of such receipt consider the application and give such directions in respect of the application as the Council thinks fit.

(5) Where six months have elapsed since an application was received, and the Council has not considered the application under this section, an affected applicant may file a complaint with the Permanent Secretary in the Ministry of Health.

(6) The Permanent Secretary under subsection (5) shall refer the matter to the Chief Nursing Officer in the Ministry of Health for investigation.

(7) Upon receipt of the report from the Chief Nursing Officer on the matter, the Permanent Secretary shall forward the report to the Council requesting that action be taken on the complaint within a reasonable time.”.

Section 22 amended

17. The Act is amended in section 22—

(a) by repealing subsection (2) and substituting the following subsection:

“ (2) Where a person fails to pay any annual registration fee which may be payable for three months after it becomes due, the Council may suspend the certificate or licence of such person until such time as the payment of the fee and any fine so attached for non-payment is received by the Council, and the Council shall thereafter restore the validity of the certificate or licence.”;

(b) in subsection (3), by deleting—

- (i) the words “five hundred” and substituting the words “ten thousand”;
- (ii) the words “six months” and substituting the words “one year”; and
- (iii) the word “one” and substituting the word “fifteen”.

Section 24 amended

18. The Act is amended in section 24, by deleting the words “seventy-five” and “one month” and substituting the words “one thousand” and “eighteen months”, respectively.

Section 25 amended

19. The Act is amended in section 25(3), by deleting the words “seventy-five” and “one month” and substituting the words “one thousand” and “eighteen months”, respectively.

Section 29 amended

20. The Act is amended in section 29(2), by deleting the word “two” wherever it occurs and substituting the word “five”.

21. The Act is amended in section 31—

Section 31 amended

- (a) by deleting the word “31” and substituting the words “31(1)”;
- (b) by deleting the words “one hundred and fifty” and substituting the words “ten thousand”; and
- (c) by deleting the word “However”, and substituting the words “(2) Notwithstanding subsection (1), however”.

22. The Act is amended by inserting after section 32, Section 32A inserted the following section:

“Midwife
includes
a male
midwife

32A. For the purposes of this Part, all references to a female midwife, shall include a reference to a male midwife.”.

23. The Act is amended in section 35(3), by deleting all the words from the words “one hundred” and substituting the words “five hundred dollars or to imprisonment for three months and in the case of a second or subsequent offence to a fine of one thousand dollars and imprisonment for six months.”.

Section 35 amended

24. The Act is amended in section 41(2)—

Section 41 amended

- (a) by inserting after paragraph (a), the following **paragraph**:
 - “(aa) prescribing the conditions under which persons may be registered as advanced practice nurses.
- (b) by inserting after paragraph (b), the following paragraph:
 - “(ba) prescribing the standards for continuous education and training of advanced practice nurses, nurses and midwives;” and

(c) by inserting after subsection (3), the following new subsections:

“ (4)The Minister may by Regulations prescribe, the qualifications and experience required and the scope of practice for the advanced practice nurses.

(5)Regulations made under subsection (4), shall be subject to affirmative resolution of Parliament.”

Section 44 amended **25.** The Act is amended in section 44, by inserting before the words “Register of Nurses,” the words “Register of Advanced Practice Nurses,”.

Section 47 amended **26.** The Act is amended in section 47, by deleting all the words occurring after the words “any falsification” and substituting the following words:

“of—

- (a) the Register of Nurses;
- (b) the Register of Advanced Practice Nurses;
- (c) the Register of Midwives; or
- (d) the Roll of Nursing Assistants,

commits an offence.”.

27. The Act is amended in section 48, by inserting before the word “nurses” the words “advanced practice nurses,”. Section 48 amended

28. The Act is amended in section 49, by— Section 49 amended

- (a) inserting before the words “a nurse” the words “an advanced practice nurse”; and
- (b) inserting before the words “Register of Nurses” the words “Register of Advanced Practice Nurses,”.

29. The Act is amended by inserting after section 51, Sections 51A and 51B inserted the following sections:

“Times of
Emergency 51A. Where a national emergency exists, the Minister may, by Order, permit a person who is registered to practise nursing or midwifery under the laws of his governing country, to practise nursing or midwifery for the period specified in the Order, for the purpose of providing specific skills and technology and such person shall be deemed to be practising as if a licence had been issued under this Act.

Visiting
nursing
personnel 51B. The Minister may, by Order, permit nursing personnel who are registered to practise nursing or midwifery under the laws of their governing country as part of a visiting planned education or teaching programme or medical visiting treatment team, for the purpose of providing specific skills and technology and such persons shall be deemed to be practising as if a licence had been issued under this Act.”.

30. The Act is amended by— Act amended

- (a) deleting the words “is guilty of” wherever they occur and substituting the word “commits”; and
- (b) inserting before the words “is liable on” wherever they occur, the words “commits an offence and”.

31. In any written law where there is a reference to the Nurses and Midwives Registration Act such reference shall be substituted with a reference to the Nursing and Midwives Act. Reference to
Nurses and
Midwives
Registration Act
Chap. 29:53
substituted

Passed in the House of Representatives this 21st day
of February, 2014.

Clerk of the House

I confirm the above.

Speaker

Passed in the Senate this day of , 2014.

Clerk of the Senate

I confirm the above.

President of the Senate

No. 2 of 2014

FOURTH SESSION
TENTH PARLIAMENT
REPUBLIC OF
TRINIDAD AND TOBAGO

BILL

AN ACT to amend the Nurses and Midwives
Registration Act, Chap. 29:53

Received and read the

First time

Second time

Third time
