

**NURSES AND MIDWIVES 'REGULATIONS, 1989
ARRANGEMENT' OF REGULATIONS**

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NURSES AND MIDWIVES ACT, 1985
(Act 18 of 1985)

Nurses and Midwives Regulations,, 1989

PART I - PRELIMINARY

In exercise of the powers conferred by section 15 of the Nurses and Midwives Act, 1985, the Minister of Health, after consultation with the Seychelles Nurses and Midwives Council, hereby makes the following Regulations-

Citation

1. These Regulations may be cited as the Nurses and Midwives Regulations, 1989.

Interpretation

2. In these Regulations:
"the register" means the register of nurses or any part thereof or the register of midwives, as the case may be, kept by the Council under sections 4 and 5 of the Act.

"registered nurse" or "registered midwife" means a male or female nurse or midwife who is for the time being registered in the register.

PART II - PROCEEDINGS OF THE COUNCIL

3. (1). The agenda at meetings of the Council shall be as follows:
 - (a) reading and confirmation of the minutes of the previous meeting;
 - (b) any business arising out of the minutes;
 - (c) applications for registration as nurses or midwives;
 - (d) motions of which notice has been given;
 - (e) any other business.

(2) A minute book shall be kept by the registrar and proper entries made therein of all business transacted at every meeting of the Council. A draft of the minutes shall be circulated to the members of the Council, together with the notice of the meeting at which they are to be submitted for confirmation.

Motions

4. (1) Every motion or amendment to a motion shall be moved and seconded by the mover and seconded of the motion or amendment and shall, if the Chairman of the meeting so requires, be reduced to writing and handed to him and read before it is further discussed or put to the meeting.

(2) Every notice of motion shall be given orally or in writing signed by the member of the Council giving the notice, and shall be given or sent to the registrar.

(3) The registrar shall insert in the agenda paper of the next ordinary meeting of the Council all notices of motions which have been received not less than one clear day on which the agenda paper is sent out to members of the Council, in the order in which they have been received.

PART III - THE REGISTER

- Additional Particulars
- Part III of Register of Nurses
- Part IV of the Register of Nurses
- Application for Registration
- Registration number
- Change of address
5. The register shall in addition to the particulars set forth in section 4 (I) of the Act contain the date of birth of each registered nurse and midwife.
 6. A nurse who has successfully followed a formal training programme in any of the following specific fields of nursing shall be qualified to have the name of the nurse entered in Part III at the register of nurses-
 - (a) sick children nursing;
 - (b) community health nursing;
 - (c) special care nursing;
 - (d) any other specific field of nursing the Council may, in any case, decide.
 7. A nurse who has, successfully followed a formal training programme of not less than nine month duration enabling the Nurse to undertake an extended role in the functions of a nurses in any of the following categories shall be qualified to have the name of the nurse entered in Part IV of the register of nurses-
 - (a) nurse anaesthetist;
 - (b) nurse practitioner; ,
 - (c) any other category the Council may decide.
 8. (1) An application for registration as a nurse or midwife shall be made in the Form 1 in the First Schedule and shall be accompanied by the following documents -
 - (a) certificate of birth of the applicant or such other proof to the satisfaction of the Council that the applicant has attained the age of 1-9 years;
 - (b) certificate of training;
 - (c) certificate of registration (if trained outside Seychelles);
 - (d) certificate of good character and professional efficiency.

(2) The Council may, in respect of an applicant for registration call for a confidential report in the Form 2 in the First schedule from any professional officer, doctor or responsible person under whom the applicant has worked during the period three years preceding the date of the application, a certificate training in the Form 3 in the First Schedule and a transcription of training in the Form 4 in the First Schedule from any institution in which the applicant has received training.

(3) The Council may dispense with any certificate or other document required by the preceding provisions of this regulation if it is satisfied by other evidence that the information furnished by the applicant is correct and that, as character and professional efficiency, the applicant is suitable for admission to register.
 9. Each person whose name is included in the register shall be assigned a number in the consecutive order in which the name appears in the register and, where the register is divided into parts, in the consecutive order in which the name appears in each part of the register.
 10. A nurse or midwife whose name is included in the register shall notify to the registrar any permanent change of address, and for the purposes of the Act and

these Regulations, the address last notified shall be deemed to be the registered address of the nurse or midwife.

Certificate of
Registration

11. The certificate issued under section 10 (1) of the Act shall be in the Form 5 in the First Schedule and shall be under the seal of the Council.

Applicants
Registered in
a foreign
country

12. In order to satisfy itself that the standard of training and examination in a foreign country is not inferior to the standard adopted by the Council for registration under the Act, the Council may require an applicant registered in that country as a nurse or a midwife to undergo such oral, written or practical examination or fulfill such other requirement as the Council may direct.

PART IV-DISCIPLINE

Rules of
conduct

13. (1) It shall be the duty of every registered nurse or midwife to act in such a manner as to --

- (a) earn public trust and confidence;
- (b) uphold and enhance the good standard and reputation of the profession;
- (c) safeguard the interests of patients and clients under the care of the nurse or midwife;
- (d) serve the interest of society;
- (e) be of example to students performing nursing or midwifery duties

(2) In the exercise and discharge of the professional duties, practices and procedures, every registered nurse or midwife shall-

- (a) accept only such compensation for the exercise and discharge of professional duties, practices and procedures as may be provided for in the terms of employment of the nurse or midwife;
- (b) act in such a manner as to promote and safeguard the well being and interest of patients and clients under the care of the nurse or midwife;
- (c) take every reasonable opportunity to maintain and improve professional knowledge and competence;
- (d) make known to the registrar any conscientious objection which may be relevant to the exercise and discharge of the professional duties, practices and procedures;
- (e) work in a collaborative and co-operative manner with other health care professionals and recognize and respect their particular contributions within the health care system;
- (f) acknowledge any limitation in competence and refuse in such cases to accept delegated functions without first having received appropriate instructions in regard to those functions;
- (g) comply with the Code of Ethics as prescribed from time to time by the International Council of Nurses.

(3) Every registered nurse or midwife carrying out the practice of nursing or midwifery shall assess, plan, implement and evaluate nursing care plans according to the needs of individual patients.

(4) Every registered nurse or midwife carrying out the practice of nursing or midwifery shall carry out diagnostic, therapeutic and rehabilitative or any other procedures provided that the nurse or midwife has been trained to perform such procedures.

(5) Every registered general nurse shall comply with the Code of Practice for general nurses set out in the Second Schedule.

(6) Every registered midwife shall comply with the Code of Practice for midwives set out in the Second Schedule.

(7) Any registered nurse or midwife who has not practiced as a nurse or midwife for a continuous period of four years although registered throughout such period, shall, if required by the Council, attend a course or programme of practical and theoretical instruction approved by the Council, and shall not practice as a nurse or midwife before the satisfactory completion of such a course or programme.

Malpractice

14. A nurse shall be guilty of malpractice if the nurse -

- (a) withholds from patients and clients any medication, without proper justification and without informing the person prescribing such medication;
- (b) administers to a patient or client any substance, carries out any procedures or gives any advice, with the intention of causing an abortion other than in circumstances approved by the Medical Board;
- (c) administers to a patient or client any substance, carries out any procedures or gives any advice with the intention of causing harm;
- (d) recommends or gives medical treatment for which the nurse is not authorised except in emergencies and fails to report such action to the supervisor of the nurse as soon as possible;
- (e) fails to carry out necessary nursing observations and fails to act upon them or report them.

Negligence

15. A nurse or midwife shall be guilty of negligence if the nurse or midwife -

- (a) fails to maintain health notes and other medical documents in proper form at all times;
- (b) does not have regard to the environment or care and its physical, psychological and social effects on patients or clients, and also to the adequacy of resources, and to make known to the immediate superior officer of the nurse or midwife any circumstances which could place patients or clients in jeopardy, or which mitigate against safe standards or practice.

Misconduct

16. A nurse or midwife shall be guilty of misconduct if the midwife-

- (a) abuses the privileged relationship which exists with patients and clients and of the privileged access allowed to their property, residence or workplace;
- (b) refuses to carry out a reasonable standard order given by the supervisor of the nurse or midwife;
- (c) does not co-operate with and does not maintain harmonious relationship with members of the medical profession and nursing and midwifery colleagues;
- (d) knowingly disregards the accepted pattern of behavior in the community in which the nurse or midwife lives and works.

Complaints
against nurses
or midwives

17. Where a complaint is made to the registrar in writing, any registered nurse or midwife on any of the : set out in paragraphs (a) to (d) of section II of the Act, Registrar, if satisfied that the complaint is made in good shall call upon the nurse or midwife (hereinafter called the (respondent) against whom the complaint is made to give in such explanation as the respondent may wish to

make. It shall thereafter forward to the Council all documents relate complaint including such written explanation.

(2) The Council, if satisfied that a prima facie case for inquiry into the complaint has been established, shall notify the respondent accordingly and appoint an investigating committee which shall proceed to inquire into the complaint.'

Investigating
committee

18. (1) The investigating committee shall consist of not less than 3 members of the Council.

(2) Any other person whom the Council may decide may be co-opted as a member of the investigating committee but he shall not have a vote on any matter for decision by the Committee.

(3) If the Chairman of the Council is not a member of the investigating committee, the members of the committee shall elect one of its members, being a member of the Council, as its Chairman.

(4) The Chairman: of the Council, if he is a member of the investigating committee, or the member elected as its Chairman under sub regulation (3), shall preside at any inquiry before the committee.

(5) At any inquiry before the investigating committee-

(a) the investigating committee may be assisted if necessary in an advisory capacity by a legal officer appointed by the Attorney General;

(b) the respondent shall be entitled to appear and to be represented by a friend or by a legal practitioner or a representative of the National Workers Union.

(6) The respondent shall have not less than 7 days notice of the date of inquiry.

(7) If after being notified of the time, date and place of inquiry the respondent or his representative fails to appear, the inquiry may proceed in the absence of both or either.'

(8) For the purpose of the inquiry the investigating committee may summon any person to attend the inquiry at a time and place specified in the summons and to give evidence and to produce any relevant document in respect of the complaint inquired into and the respondent or the representative shall be entitled to apply to the investigating committee for summons on any witness to give evidence and produce documents in support of his case.

(9) Upon the completion of the inquiry the investigating committee shall forward a copy of the proceedings together with its findings to the Council.

Disciplinary
measures

19. (1) The Council may, where it is satisfied on a consideration of the proceedings and findings of the investigating committee that the matter inquired into has been established, take any disciplinary measures under section 11 of the Act against the respondent.

(2) The Council may in addition to or in lieu of any of the disciplinary measures specified in section 11 (i), (ii) and (iii) recommend to the Ministry of Health

disciplinary . action against the respondent.

Restoration to
the Register

20. (1) When the name of a nurse or midwife has been removed from the register, any application for restoration to the register shall be made by the nurse or midwife in writing to the registrar, stating the grounds on which the application is made.
- (2) The application shall contain the names and addresses of two responsible persons .able and willing to, identify the applicant and give evidence as to the applicant's character and the nature of the applicant's employment, both before and since the date of the applicant's removal or such other evidence as the Council may require.
- (3) The Council may require the applicant to attend in person any meeting of the Council at which the matter is to be discussed.
- (4) If upon a consideration of the application and of the evidence furnished in support of it, the Council is satisfied that the name of the applicant should be restored to the register, the applicant's name shall be re-included in the register or the appropriate part or parts of the register, and a new certificate shall be issued to the applicant.

FIRST SCHEDULE

FORMS

FORM I

APPLICATION FOR REGISTRATION AS A NURSE/MIDWIFE

To the Registrar,
Seychelles Nurses and Midwives Council

1.
(Full Christian names and surname)
2. Born on at
(Date) (Place)
3. Residing at
(Full permanent address)
4. Marital status
(Status whether married/single/widowed or divorced). If married give; maiden name

hereby request the Seychelles Nurses and Midwives Council to enter my name in the register or
part of the register of
.....
maintained by the Council

- I forward herewith:
- i.) my certificate of birth or other proof of date of birth
 - ii.) my certificate of training
 - iii.) my certificate of registration (if trained outside Seychelles)
 - iv.) evidence of good character/professional efficiency
 - v.) name and address of two referees.

I promise in the event of my being registered, and in consideration thereof, to be bound by and conform to the rules and regulations laid down by the Council

Date Signature

FORM 2

CONFIDENTIAL REPORT

(To be filled in by professional officer, doctor or responsible person under whom the applicant has worked during the three years, and returned to the Registrar)

1. Name of person for whom reference is required

2. Name and address of referee

.....

3. In what capacity was the applicant employed during the period you knew the applicant?

.....

.....

4. What is your opinion of the applicant's character and professional ability?

.....

.....

5. Do you recommend the applicant for registration with the Council?

.....

.....

6. If your answer to the previous question is "no" please state reasons.

.....

.....

Signature:

FORM 3

**CERTIFICATE OF TRAINING OF APPLICANT
FOR REGISTRATION AS A NURSE/MIDWIFE**

I HEREBY CERTIFY from my personal knowledge and/or from the records of this institution

.....
.....

that

received training in

between the following dates

and was successful at the final examination.

To the best of my knowledge and belief recommend him/her accordingly for registration.

.....
Signature

.....
Qualification

Date:.....

FORM 4

TRANSCRIPTION OF TRAINING

Name:

Surname:

Maiden name if married:

Date of birth:

Official length of program me:

Qualification gained:

Number of beds:

Number of tutors:

Number of students:

FORMAL INSTRUCTION IN HOURS

SUBJECTS	Year	1	2	3	TOTAL
Professional adjustments					
Anatomy and physiology					
Microbiology					
Pharmacology					
Nutrition and dietetics					
Psychology					
Sociology					
Nursing- principles and practice					
Medicine and medical nursing					
Surgery and surgical nursing					
Emergency nursing					
Paediatric nursing					
Gynaecological nursing					
Orthopaedic nursing					
Psychiatric nursing					
Obstetrics					
Ophthalmology					
Dermatology					
Ear, nose and throat					
Community health nursing					
Health Education					
Management					
Others:					

CLINICAL EXPERIENCE IN WEEKS

	No. of weeks	Remark:
Medical nursing		
Surgical nursing		
Paediatric nursing		
Gynaecological nursing		
Orthopaedic nursing		
Psychiatric nursing		
Obstetrics		
Operating theatre		
Emergency nursing		
Community health nursing		
Selective experience		
Others:		

Date: Signature:

Seal/Stamp: Position held:

Address:

FORM 5

CERTIFICATES

REGISTRATION AS A NURSE

SEYCHELLES
NURSE AND MIDWIVES COUNCIL

CERTIFICATE OF REGISTRATION AS A NURSE

No.:

THIS IS TO CERTIFY that

was admitted on

to the part of the register of

maintained by the Seychelles Nurses and Midwives Council and is entitled in pursuance of the

Nurses and Midwives Act, 1985 to take and use the title of.....

.....

.....
Chairman

.....
Registrar

REGISTRATION AS A MIDWIFE

SEYCHELLES

NURSES AND MIDWIVES COUNCIL
CERTIFICATE OF REGISTRATION AS A .MIDWIFE

No.:

THIS IS TO CERTIFY that

was admitted on

to the Register of Midwives by the Seychelles Nurses and Midwives Council and is entitled in pursuance of the Nurses and Midwives Act, 1985 to take and use the title of "Registered Midwife".

.....
Chairman

.....
Registrar

SECOND SCHEDULE

CODE OF PRACTICE.

GENERAL NURSE

- (1.) It shall be the duty of a nurse to provide holistic care by simultaneously attending to the biological, psychological, social and spiritual needs of people.
- (2.) Every registered nurse carrying out the practice of nursing shall be responsible for –
 - a) assessing human needs and health problems;
 - b) planning and giving care designed to assist people to meet these needs, to overcome problems and to perform the activities of daily living;
 - c) evaluating the degree to which health needs and goals of people are being achieved
- (3.) To give effect to the provisions of paragraphs (1) and (2) the nurse applies specialized knowledge, clinical skills and techniques, for which training has been given, to assist the person who is experiencing varying degrees of difficulty with:
 - respiration;
 - eating and drinking;
 - elimination;
 - maintenance of desirable posture in walking, sitting and lying;
 - moving from one position to another;
 - rest and sleep;
 - selection of clothing, dressing and undressing;
 - maintaining body temperature within normal range;
 - keeping clean and well groomed and protecting the integument;
 - avoiding dangers in the environment;
 - communicating with others, and expressing needs and feelings;
 - practising own religion or conforming with own concept of right or wrong;
 - work or productive occupation;
 - recreational activities;
 - learning.
- (4.) Provisions of paragraphs (1) to (3) include the fundamental components of nursing care.
- (5.) In addition to the provision of direct nursing care as described above, the role of nursing also encompasses –
 - coordinating the care prescribed and/or provided by other health workers;
 - collaborating with other health workers to meet the total health needs of people;
 - participating in the preventive or promotive health programmes;
 - acting as an advocate for the patient;
 - guarding against the infringement of people's rights to make decisions about and set goals for their health care;
 - providing and managing human and material resources;
 - maximising opportunities for learning.

MIDWIFE

Every registered midwife carrying out the practice of midwifery shall be responsible:

- (1.) To provide sound family information and advice;
- (2.) To diagnose pregnancies and monitor normal pregnancies; to carry out examinations necessary for the monitoring of the development of normal pregnancies.
- (3.) To prescribe or advice on the examinations necessary for the earliest possible diagnosis of pregnancies at risk;
- (4.) To provide a programme of parenthood preparation and a complete preparation for childbirth including advice on hygiene: and nutrition;
- (5.) To care: for and assist the mother during labour and to monitor the condition of the fetus in utero by the appropriate clinical and technical means;
- (6.) To conduct spontaneous deliveries including where required an episiotomy and in urgent cases a breech delivery, and repair episiotomies and other lacerations except for third degree tears.
- (7.) To recognise the warning signs of abnormality in the mother or infant which necessitate referral to a doctor and to assist the latter where appropriate; to take the necessary emergency measures in the doctor's absence, in particular the manual removal of the placenta, possibly followed by manual examination of the uterus;
- (8.) To examine and care for the new-born infant; to take all initiatives which are necessary in case of need and to carry out where necessary immediate resuscitation;
- (9.) To care for and monitor the progress of the mother in the post-natal period and to give all necessary advice to the mother on infant care to enable her to ensure the optimum progress of the new-born infant;
- (10.) To assist the medical practitioner in the treatment of patients; and
- (11.) To maintain all necessary records.

MADE this 1st day of February, 1989.

Ralph Adam,
Minister of Health.