

## Is your nurse practising illegally?

It is the duty of every nurse to meet her statutory requirements of practice but employers should also ensure that nurses in their employ fulfil their obligations regarding registration or enrolment with the South African Nursing Council and membership of the South African Nursing Association.

In most countries, including South Africa, the practice or professional persons is controlled by law. The profession is usually granted statutory control over criteria for admission to the profession and over its members' conduct. This legislative mandate by society serves two purposes:

- to protect the profession's area of jurisdiction
- to safeguard and serve the interests of the public.

South African society was the first in the world to recognise nursing as a profession by granting registration in 1891. The Nursing Act, 1944 (No 45 of 1944) provided for statutory control of nurses by nurses by creating the South African Nursing Council and the South African Nursing Association. This Act also introduced compulsory registration for all nurses and midwives who practised their profession for gain, as well as compulsory membership of the South African Nursing Association.

In 1973 Nursing became a closed profession by an amendment to the Nursing Act 1957 (No 69 of 1957). From that date registration or enrolment was compulsory for all who nursed for gain, including nursing assistants and pupil nursing assistants.

The professional practice of nurses is presently controlled under the Nursing Act, 1978 (No 50 of 1978), as amended. With regard to registration/enrolment with the South African Nursing Council the Act reads as follows:

*"16(1) No person shall be entitled to practice within the Republic the profession of a registered nurse, a midwife, an enrolled nurse or a nursing assistant, or to practise within the Republic as a student nurse, or a student midwife or as a pupil nurse or a pupil nursing assistant, unless he is in terms of this Act registered or enrolled, as the case may be, as a nurse, a midwife, a nursing assis-*

*tant, a student nurse, a student midwife, a pupil nurse or a pupil nursing assistant, as the case may be."*

Regarding membership to the South African Nursing Association Section 38 of the Act reads:

*"(1)(a) Every person registered or enrolled in terms of this Act and practising his profession within the Republic shall be a member of the South African Nursing Association, which shall represent the nursing and midwifery profession in the Republic"*

(For the purposes of Section 38 the Nursing Amendment Act, 1982 (No 70 of 1982) determines that self-governing territories with their own legislative assemblies shall be deemed not to form part of the Republic).

*"(2) Any person who contravenes or fails to comply with any provision of subsection (1), shall be guilty of improper or disgraceful conduct and on conviction be liable to any of the penalties referred to in section 29(1)". These penalties include reprimand, suspension from practice and removal from the register or roll.*

At present South African Nursing Council registration or enrolment fees of R15,00 are due on 1 January each year but can be paid from 1 July of the previous year. On 31 January the names of all nurses who have not paid are deleted from the registers or rolls.

South African Nursing Association membership fees, which become due on 1 January and must be paid by 31 March, are currently:

- for all registered nurses and midwives, R20,00 per year, irrespective of the date on which they commenced practice within the financial year.
- for all other categories of members, that is student nurses, enrolled nurses, pupil nurses, nursing assistants and pupil nursing assistants R10,00 per year irrespective of the date on which they commenced practice within the financial year.

Some of the privileges of membership to the South African Nursing Association are:

- negotiations regarding conditions of service on behalf of the profession as a whole or for individual members
- professional indemnity and per-

- sonal accident insurance
- a forum at branch level
- a monthly newspaper.

Private medical practitioners who employ nurses and those who are involved at management level in organisations which employ nurses should ensure that nursing personnel meet the statutory requirements for practice. Both the South African Nursing Council and the South African Nursing Association send yearly accounts, provided that the nurse has fulfilled her obligation of notifying these bodies of any change of name or address. Receipts for payments are provided and employers can ask for these receipts to be shown every year.

*Nurses who are not registered or enrolled must write to the South African Nursing Council, P.O. Box 1123, Pretoria 0001, and those who are not members of the South African Nursing Association or who have not received an account for 1982 are requested to contact the South African Nursing Association at P.O. Box 1280, Pretoria 0001.*

## Hospice Association appeals to all GPs for help

The Hospice Association of the Witwatersrand provides a programme of total domiciliary care for the terminally ill and their families. The programme is medically directed as well as nurse controlled, and is supported by trained volunteer counsellors.

Owing to growing requests for services and the limited resources available to the Association, an appeal is made to General Practitioners who would be willing to volunteer a small portion of their time to relieve the load borne at present, by the Association's Medical Director.

It is envisaged that a panel of volunteer medical officers be established. This panel would be called upon to provide medical direction and support to patients and their families living in the doctor's area of activity.

Interested Practitioners are requested to contact The Secretary, P O Box 78310, SANDTON, 2146 or telephone (011) 783-2301 in the evenings.