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NURSES AND MIDWIVES ACT (CHAPTER 209)

NURSES AND MIDWIVES REGULATIONS 2012

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In exercise of the powers conferred by sections 32(8) and 44 of the Nurses and Midwives Act, the Singapore Nursing Board, with the approval of the Minister for Health, hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Nurses and Midwives Regulations 2012 and shall come into operation on 1st April 2012.

Definition

2. In these Notification, “Form” means a form set out in the Third Schedule, and a form referred to by a number means the form so numbered in that Schedule.

PART II**REGISTRATION, ENROLMENT, CERTIFICATION AND
PRACTISING CERTIFICATES****Register of Nurses and Register of Midwives**

3.—(1) The Register of Nurses shall be in such form as the Board may determine and shall consist of the following parts:

- (a) a general part containing the particulars of all persons who are registered as registered nurses; and
- (b) a supplementary part containing the particulars of all persons who are registered as registered nurses and who are qualified in the nursing and care of persons suffering from psychiatric diseases.

(2) The Register of Midwives shall be in such form as the Board may determine and shall contain the particulars of all persons who are registered as midwives.

Specialised branches of nursing

4. For the purposes of section 32(2)(a) of the Act, the specialised branches of nursing approved by the Board are specified in the First Schedule.

Advanced Practice Nurse Register

5. The Advanced Practice Nurse Register shall be in such form as the Board may determine and shall contain the names and such other particulars as the Board may determine of all persons who are certified as Advanced Practice Nurses.

Roll

6. The Roll shall be in such form as the Board may determine and shall consist of the following parts:

- (a) a general part containing the particulars of all persons who are enrolled; and
- (b) a supplementary part containing the particulars of all persons who are enrolled and who are qualified in the nursing and care of persons suffering from psychiatric diseases.

Correction or alteration of Register, Roll or Advanced Practice Nurse Register

7. The Registrar shall —

- (a) insert in the Register, Roll or Advanced Practice Nurse Register, as the case may be, any alteration which may come to his knowledge to the name, address or other particulars of any registered nurse, enrolled nurse, registered midwife or Advanced Practice Nurse;
- (b) insert in the Register, Roll or Advanced Practice Nurse Register, as the case may be, any alteration to the qualifications or any additional qualifications of any registered nurse, enrolled nurse, registered midwife or Advanced Practice Nurse;
- (c) correct any error in any entry in the Register, Roll or Advanced Practice Nurse Register; and
- (d) remove from the Register, Roll or Advanced Practice Nurse Register, as the case may be, the name of any person whose registration or enrolment as a nurse, registration as a midwife or certification as an Advanced Practice Nurse is cancelled by the Board under section 19 of the Act.

Application for registration or enrolment

8.—(1) An application for registration or enrolment shall be made in the form set out at the Board's Internet website at <http://www.snb.gov.sg> and shall be accompanied by the following:

- (a) the applicable fee specified in the Second Schedule;
- (b) evidence of successful completion of the course referred to in section 14(1)(a), (2)(a) or (3)(a) of the Act, as the case may be, duly certified by the institution that conducted the course or such other authority as the Board may approve;
- (c) if the course is a course referred to in section 14(1)(a)(ii), (2)(a)(ii) or (3)(a)(ii) of the Act, a statement describing the type, content and duration of the course;
- (d) evidence of having acquired such experience in nursing or midwifery as the Board may require;
- (e) if the applicant is registered or enrolled as a nurse, or registered as a midwife, in a foreign country —
 - (i) a certified copy of the certificate of registration or enrolment in that country; and
 - (ii) a statement from the registration or enrolment body of that country verifying that the applicant is registered or enrolled as a nurse, or registered as a midwife, as the case may be, and that no proceedings have been taken or are pending against him;
- (f) if the applicant has completed a course referred to in section 14(1)(a)(ii), (2)(a)(ii) or (3)(a)(ii) of the Act but not a course referred to in section 14(1)(a)(i), (2)(a)(i) or (3)(a)(i) of the Act, evidence of a firm offer of employment as a nurse or midwife, as the case may be; and
- (g) any other information, statement or document as the Board may require.

[S 176/2013 wef 01/04/2013]

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(2) Any document produced under paragraph (1) that is not in English shall be accompanied by a certified translation thereof in English.

(3) The Board may, in any particular case, dispense with the production of any certificate or other document if the Board is satisfied by other evidence that the information furnished by the applicant is sufficient and correct, and that as regards character and

professional competence the applicant is suitable for registration or enrolment, as the case may be.

Application for certification as Advanced Practice Nurse

9.—(1) An application for certification as an Advanced Practice Nurse (referred to in these Regulations as certification) shall be made in the form set out at the Board's Internet website at <http://www.snb.gov.sg> and shall be accompanied by the following:

- (a) the applicable fee specified in the Second Schedule;
- (b) evidence of successful completion of —
 - (i) an accredited course in a specialised branch of nursing approved by the Board conducted by an accredited institution or other institution recognised by the Board; or
 - (ii) a course conducted outside Singapore which, in the opinion of the Board, is equivalent to a course referred to in sub-paragraph (i);
- (c) evidence of having acquired such experience in that specialised branch of nursing as the Board may require;
- (d) if the course referred to in sub-paragraph (b) is conducted outside Singapore, a statement describing the type, content and duration of the course;
- (e) if the applicant is certified as an Advanced Practice Nurse or its equivalent in any territory outside Singapore —
 - (i) a certified copy of the Advanced Practice Nurse certificate or its equivalent in that country; and
 - (ii) a statement from the certification body of that country verifying that the applicant is certified as an Advanced Practice Nurse and that no proceedings have been taken or are pending against him; and
- (f) any other information, statement or document as the Board may require.

[S 176/2013 wef 01/04/2013]

(2) Any document produced under paragraph (1) that is not in English shall be accompanied by a certified translation thereof in English.

(3) The Board may, in any particular case, dispense with the production of any certificate or other document if the Board is satisfied by other evidence that the information furnished by the applicant is sufficient and correct, and that as regards character and professional competence the applicant is suitable for certification.

Induction programme and competency assessment

10. Before certifying a person as an Advanced Practice Nurse under section 32 of the Act, the Board may require the person to undergo such induction programme or competency assessment as may be approved by the Board, and the Board may refuse to certify him if he fails to undergo or complete such induction programme or competency assessment.

Provisional certification as Advanced Practice Nurse

11.—(1) The Board may provisionally certify as an Advanced Practice Nurse a person who has been required under regulation 10 to undergo an induction programme or a competency assessment.

(2) If a person who is provisionally certified becomes certified under section 32 of the Act, his certification shall date from his provisional certification.

Temporary certification as Advanced Practice Nurse

12. Subject to regulation 9, where a person has fulfilled such conditions as the Board may specify for his case, the Board may grant temporary certification as an Advanced Practice Nurse to that person, in order to enable him to —

- (a) teach, undertake research or study in Singapore;
- (b) undergo training under a training scheme approved by the Board; or
- (c) provide voluntary nursing service under a volunteer scheme approved by the Board.

Board may impose conditions

13.—(1) The Board may, in certifying a person as an Advanced Practice Nurse, impose such conditions on him as the Board considers appropriate to his case, and may at any time vary or revoke the conditions or impose new conditions on him.

(2) Without prejudice to the generality of paragraph (1), the conditions may include a condition limiting the fields of nursing and the institutions in which the person may practice.

Renewal of temporary registration, enrolment or certification

14.—(1) A person who is —

- (a) temporarily registered or enrolled under section 16 of the Act; or
- (b) temporarily certified as an Advanced Practice Nurse under regulation 12,

may apply in writing to the Board for renewal of his registration, enrolment or certification, as the case may be, no later than one month before the expiration of his registration, enrolment or certification.

(2) The application shall be accompanied by such information, statements and documents as the Board may require.

Competency assessment and examination

15.—(1) The Board may conduct, or make arrangements for an institution approved by the Board to conduct —

- (a) the competency assessment referred to in section 15(4) of the Act or regulation 10; or
- (b) such examination as the Board may require an applicant for registration, enrolment or certification to undergo.

(2) An applicant may undergo the competency assessment or examination up to such number of times as the Board may determine.

Registration Committee

16.—(1) The Board shall appoint a committee to be known as the Registration Committee.

(2) The Registration Committee shall consist of not less than 4 members of the Board and such number of other persons as the Board may decide.

(3) The Board shall appoint a member of the Registration Committee as the chairman of the Committee.

(4) The term of office of the members and the quorum of the Registration Committee shall be determined by the Board.

(5) The Registration Committee shall examine such classes of applications for registration or enrolment as the Board may determine, and for this purpose the Committee may interview each applicant, make inquiries and take such other action as the Committee considers necessary.

(6) The Registration Committee shall advise the Board whether an applicant whose application has been examined by the Committee —

- (a) should be registered or enrolled, as the case may be, and if so, the conditions to be imposed on him; or
- (b) should be required to undergo the induction programme or competency assessment referred to in section 15 of the Act or any examination referred to in regulation 15.

Advanced Practice Nurse Accreditation Committee

17.—(1) The Board shall appoint a committee to be known as the Advanced Practice Nurse Accreditation Committee (referred to in these Regulations as the APN Accreditation Committee).

(2) The APN Accreditation Committee shall consist of —

- (a) the Chief Nursing Officer; and
- (b) 6 other members, of whom not more than one shall be a member of the Board and not less than 2 shall be medical practitioners registered as specialists under the Medical Registration Act (Cap. 174) who are in active clinical practice.

(3) The Board shall appoint a member of the APN Accreditation Committee who is a member of the Board as the chairman of the Committee.

(4) The chairman and members of the APN Accreditation Committee shall be appointed for a term not exceeding 3 years.

(5) At any meeting of the APN Accreditation Committee, 4 members shall form a quorum.

(6) Any question arising at a meeting of the APN Accreditation Committee shall be determined by a majority of votes of the members present and, in the case of an equality of votes, the chairman of the Committee shall have a casting vote.

Functions of APN Accreditation Committee

18. The functions of the APN Accreditation Committee shall be —

- (a) to determine and approve the qualifications, experience and other conditions for certification;
- (b) to approve specialised branches of nursing for the purposes of section 32(2)(a) of the Act;
- (c) to form an Advanced Practice Nurse Certification Panel, consisting of not less than 3 members, to examine applications for certification, interview each applicant and make such other inquiries as the Panel considers necessary, in order to determine whether the applicant is eligible for certification;
- (d) to grant to any person who has the qualifications for certification a letter to that effect, according to the findings of the Advanced Practice Nurse Certification Panel; and
- (e) to advise the Board on matters affecting or connected with the practice of Advanced Practice Nurses.

Practising certificate

19.—(1) An application for a practising certificate or its renewal shall be made in the form set out at the Board's Internet website at <http://www.snb.gov.sg>.

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(2) Every application for a practising certificate shall be accompanied by the applicable fee specified in the Second

Schedule and such other information, statement or document as the Registrar may require.

[S 176/2013 wef 01/04/2013]

(3) Where a practising certificate is lost or accidentally destroyed, the holder thereof may apply to the Board for a duplicate certificate and the Board may, if it thinks fit, issue a duplicate certificate upon payment of the applicable fee specified in the Second Schedule.

(4) The Board may require the applicant to submit a statutory declaration certifying the loss or destruction of the original certificate.

Form of certificate of registration, etc.

20.—(1) A certificate of registration or enrolment or an Advanced Practice Nurse certificate shall be signed by the Registrar and shall be under the seal of the Board.

(2) Where a certificate of registration or enrolment or an Advanced Practice Nurse certificate is lost or accidentally destroyed, the holder thereof may apply to the Board for a duplicate certificate and the Board may, if it thinks fit, grant a duplicate certificate upon payment of the applicable fee specified in the Second Schedule.

(3) The Board may require the applicant to submit a statutory declaration certifying the loss or destruction of the original certificate.

PART III

PROFESSIONAL PRACTICE, CONDUCT AND ETHICS

Professional practice, conduct and ethics

21. Every registered nurse, enrolled nurse, registered midwife and Advanced Practice Nurse shall observe the Board's pronouncements on professional practice, professional conduct and professional ethics issued from time to time.

Ethics Committee

22.—(1) The Board shall appoint a committee to be known as the Ethics Committee.

(2) The Ethics Committee shall consist of such number of members as the Board may decide and the members may include persons who are not members of the Board.

(3) The Board shall appoint a member of the Ethics Committee as the chairman of the Committee.

(4) The term of office of the members and the quorum of the Ethics Committee shall be determined by the Board.

(5) The functions of the Ethics Committee are —

- (a) to advise the Board on any issue arising from the practice of nursing or midwifery that is likely to have ethical implications;
- (b) to formulate and review a Code of Ethics for nurses and midwives; and
- (c) to develop guidelines on ethical issues relating to the practice of nursing or midwifery and any research relating to such practice.

Use of qualifications entered in Register, Roll or Advanced Practice Nurse Register and approved title, etc.

23.—(1) No registered nurse, enrolled nurse, registered midwife or Advanced Practice Nurse shall —

- (a) use or exhibit or publish in any card, letter, stationery, nameplate, signboard, placard, circular, handbill or any notice displayed at the premises used by him for the practice of nursing or midwifery any qualification other than the qualifications which are entered under his name in any Register, Roll or Advanced Practice Nurse Register, as the case may be, or which has been approved by the Board for his use; or
- (b) use any title, addition or designation other than the title, addition or designation which has been approved by the Board for his use.

(2) Any person who contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

PART IV

DISCIPLINE AND FITNESS TO PRACTISE

Division 1 — Preliminary

Complaints Committee

24.—(1) A Complaints Committee shall consist of up to 4 members, of whom at least 2 shall be members of the Board.

(2) A member of a Complaints Committee shall, notwithstanding that he has ceased to be a member of the Board on the expiry of his term of office, continue to be a member of the Committee until such time as the Committee has completed its work on any matter referred to the Committee before the member ceased to be a member of the Board.

(3) The Board may appoint an advocate and solicitor (referred to in this Part as the Board's solicitor) for the purposes of a hearing by a Complaints Committee under Division 2 or 3 of this Part, and pay to him, as part of the Board's expenses, such remuneration as the Board may determine.

Procedure of Complaints Committee

25.—(1) The Chairman of a Complaints Committee may at any time summon a meeting of the Committee.

(2) Any resolution or decision in writing signed by the Chairman and all the members of a Complaints Committee shall be as valid and effectual as if it had been made or reached at a meeting of the Committee where the Chairman and all its members were present.

(3) Any question arising at a meeting of the Complaints Committee shall be determined by a majority of votes and, in the case of an equality of votes, the Chairman shall have a casting vote.

(4) Where a Complaints Committee is of the opinion that it will not be able to complete its investigation within the period specified in

section 37(6) of the Act, the Committee may apply in writing to the Board for an extension of time to complete its investigation and the Board may grant such extension of time to the Committee as it thinks fit.

(5) Subject to the provisions of this Part, all information, including such book, document, paper or other records used by the Complaints Committee in the course of its deliberations, shall be confidential and shall not be disclosed to any person including the respondent unless the Committee in its discretion decides otherwise.

Division 2 — Investigation into disciplinary matter

Complaint against registered nurse, etc.

26.—(1) Where a complaint, or information, referred to in section 37(1)(a) or (b) of the Act has been made or given to the Board, the Registrar shall send to the registered nurse, enrolled nurse, registered midwife or Advanced Practice Nurse in respect of whom the complaint or information is made or given (referred to in this Division as the respondent) —

- (a) a copy of the complaint or information; and
- (b) a notice inviting the respondent to submit to the Board any explanation in writing he may wish to offer on the complaint or matter.

(2) The Registrar may refer the complaint or matter and any explanation of the respondent to a Complaints Committee.

Notice of hearing

27.—(1) Where a Complaints Committee has, after due investigation, decided to convene a hearing in respect of the complaint or matter, the Chairman of the Committee shall inform the Registrar and the executive secretary of the Board of the decision of the Committee.

(2) The Registrar shall thereafter give a notice to the respondent stating —

- (a) the date, time and place of the hearing; and

- (b) the complaint or matter which the Complaints Committee will inquire into.

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(3) The hearing shall not be fixed on a date earlier than 28 days from the date of the notice to the respondent except with the agreement of the respondent.

(4) On application to the Complaints Committee, the respondent may request postponement of the hearing, and the Committee may, in its discretion, grant the request and postpone the hearing to such date as it may determine, or refuse the application.

(5) An application referred to in paragraph (4) shall be made in writing to the Chairman of the Complaints Committee at least 14 days before the date of the hearing and shall be supported by good reasons.

Supply of documents for hearing

28.—(1) If the respondent wishes to raise any defence at the hearing, he or his counsel shall, at least 10 days before the date fixed for the hearing, send to the Board's solicitor —

- (a) a concise statement of the grounds of his defence;
- (b) any document to be used at the hearing; and
- (c) a list of the witnesses he intends to call at the hearing.

(2) The Board's solicitor shall, as soon as possible, send to the executive secretary of the Board a copy of any statement, document or list of witnesses received under paragraph (1).

(3) The Board's solicitor shall, at least 10 days before the commencement of the hearing, send the following to the executive secretary of the Board and the respondent or his counsel:

- (a) a list of the witnesses he intends to call at the hearing; and
- (b) copies of any document to be used at the hearing.

(4) The Complaints Committee may give notice to the respondent or his counsel to produce before the Committee any document in the possession of the respondent or his counsel which may be relevant to the matter before the Committee.

(5) The Complaints Committee may, in any particular case, waive all or any of the requirements of this regulation.

Conduct of hearing

29.—(1) At the hearing, the case against the respondent may be presented by the Board's solicitor.

(2) The respondent may appear in person or be represented by counsel.

(3) Where neither the respondent nor his counsel is present, the Complaints Committee may proceed with the hearing if it is satisfied that regulation 27 has been complied with.

(4) The Complaints Committee shall adopt the following procedure in respect of the hearing but may make such variations or modifications in any particular case:

- (a) the charge or charges against the respondent shall first be read out to the respondent;
- (b) the respondent or his counsel may object to any charge on a point of law, and if any such objection is upheld, no further proceedings shall be taken by the Committee on the charge to which the objection relates;
- (c) the Board's solicitor shall present the facts on which the complaint or information is based and adduce evidence of the facts alleged in the charge or charges;
- (d) the respondent or his counsel may adduce evidence of his own to substantiate his defence;
- (e) both the Board's solicitor and the respondent or his counsel may cross-examine witnesses of the other party after the evidence-in-chief has been completed and either party may re-examine their witnesses after the cross-examination;
- (f) at the close of the case, the respondent or his counsel may address the Committee; and
- (g) the Board's solicitor shall make his closing address.

(5) The Complaints Committee shall not be bound to act in any formal manner and shall not be bound by the provisions of the Evidence Act (Cap. 97) or by any other written law relating to evidence but may inform itself on any matter in such manner as it thinks fit.

(6) If the Complaints Committee is satisfied that the respondent or his counsel is hampering or attempting to hamper the progress of the hearing, it shall administer a warning to the respondent or his counsel.

(7) If the Complaints Committee is satisfied that any such warning is disregarded, the Committee shall proceed to complete the hearing in any manner it thinks fit.

Resumed hearing

30.—(1) If, in any case where the Complaints Committee has adjourned its hearing of a case, it appears to the Chairman of the Committee that the Committee should resume its hearing of the case, the Chairman of the Committee shall notify the Board's solicitor and the respondent or his council of the date, time and place where the Committee will resume its hearing.

(2) Regulations 28 and 29 shall apply, with the necessary modifications, to any resumed hearing under this regulation.

Hearing for 2 or more persons

31. Nothing in these Regulations shall be construed as preventing one hearing being conducted in respect of matters relating to 2 or more persons.

Duty of legal assessor

32.—(1) Where the legal assessor appointed under section 39 of the Act has been invited to be present at any hearing before a Complaints Committee, he shall —

- (a) advise the Committee only on questions of law arising from the hearing; and
- (b) inform the Committee forthwith of any irregularity in the conduct of the hearing and advise it of his own motion

where it appears to him that, but for such advice, there is a possibility of a mistake of law being made.

(2) Subject to paragraph (3), the advice of the legal assessor shall be tendered in the presence of every party to the hearing, or person representing a party, who is present at the hearing.

(3) If, in the case of any question referred by the Complaints Committee to the legal assessor after the Committee has begun to deliberate as to its findings, the Committee considers that it would be prejudicial to the discharge of its duties for the advice to be tendered in the presence of the parties or their representatives, the question may be tendered in their absence.

(4) If the legal assessor tenders any advice in the absence of the parties or their representatives, he shall, as soon as possible, personally inform them of the question which has been put to him by the Complaints Committee and of his advice thereon, and his advice shall subsequently be put in writing and a copy thereof shall be given to each party or his representative.

Division 3 — Investigation to determine fitness to carry out nursing or midwifery

Definition

33. In this Division, “fitness to practise”, in relation to a registered nurse, an enrolled nurse, a registered midwife or an Advanced Practice Nurse, means his mental or physical ability to perform the functions of a registered nurse, an enrolled nurse, a registered midwife or an Advanced Practice Nurse, as the case may be.

Complaint against registered nurse, etc.

34.—(1) Where a complaint, or information, referred to in section 37(1)(c) of the Act has been referred by the Registrar to a Complaints Committee, the Chairman of the Committee may send to the registered nurse, enrolled nurse, registered midwife or Advanced Practice Nurse in respect of whom the complaint or information is made or given (referred to in this Division as the respondent) a copy of the complaint or information together with a notice in writing —

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- (a) inviting him to agree within 14 days to an examination by at least 2 medical practitioners to be appointed by the Committee and to the medical practitioners furnishing to the Committee reports on his fitness to practise; or
 - (b) if the information received by the Committee includes reports on the respondent by medical practitioners who have recently examined him, and it appears to the Committee that the reports afford sufficient medical evidence that the respondent's fitness to practise may be impaired by reason of a physical or mental condition, so informing him.
 - (2) The Complaints Committee shall, in the notice referred to in paragraph (1) —
 - (a) inform the respondent that he may nominate not more than 2 medical practitioners to examine him and report to the Committee on his fitness to practise at his own expense; and
 - (b) invite the respondent to submit any observation or other evidence which he may wish to offer as to his own fitness to practise.
 - (3) If the respondent —
 - (a) refuses to be examined;
 - (b) having agreed to a medical examination, fails to submit to the medical examination when it has been arranged by the Complaints Committee;
 - (c) in the case of a medical examination by a medical practitioner nominated under paragraph (2)(a), fails to submit himself to the medical examination within 30 days of the despatch of the notice referred to in paragraph (1) or such further period as the Complaints Committee may allow; or
 - (d) does not reply to the Complaints Committee within 14 days of the despatch of the notice referred to in paragraph (1) or such further period as the Committee may allow,

the Complaints Committee may forthwith proceed with its inquiry and make such recommendation as it considers appropriate.

Medical examination

35.—(1) If the respondent agrees to submit to a medical examination by medical practitioners appointed by the Complaints Committee, the executive secretary of the Board shall make arrangements for such examination.

(2) The Complaints Committee shall send to the medical practitioners referred to in paragraph (1) or medical practitioners nominated by the respondent the information received by the Committee and shall ask them to report to the Committee —

- (a) on the fitness of the respondent to practise, either generally or on a limited basis; and
- (b) on their recommendations, if any, as to the management of his case.

Provision of medical reports to respondent

36.—(1) The Complaints Committee shall —

- (a) send to the respondent copies of the reports obtained from the medical practitioners referred to in regulation 35; and
- (b) invite the respondent to submit any further written observations or other evidence which he may wish to offer as to his own fitness to practise.

(2) If, in the opinion of the Complaints Committee, the reports referred to in paragraph (1)(a) contain any material which is not relevant to its inquiry and which it would not be in the best interests of the respondent for him to see, the Committee may exclude such material from the documents sent to the respondent under paragraph (1)(a).

Notice of hearing

37.—(1) Where a Complaints Committee has, after due investigation, decided to convene a hearing, the Chairman of the

Committee shall inform the Registrar and the executive secretary of the Board of the decision of the Committee.

- (2) The Registrar shall thereafter give a notice to the respondent —
- (a) indicating the physical or mental condition by reason of which it is alleged that the respondent's fitness to practise is impaired;
 - (b) stating the date, time and place at which the hearing will be held;
 - (c) inviting him to state whether he proposes to attend the hearing; and
 - (d) informing him that he may be represented by an advocate and solicitor (referred to in this Part as counsel) at the hearing and be accompanied by his medical adviser.

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(3) The notice shall be accompanied by copies of any reports, written statements and other documents before the Complaints Committee.

(4) The hearing shall not be fixed on a date earlier than 28 days after the date of the notice except with the agreement of the respondent.

Medical assessors

38.—(1) The Chairman of the Board may arrange for one or more medical assessors, appointed under section 39(3) of the Act, to assist the Complaints Committee at its hearing.

(2) In choosing a medical assessor to assist the Complaints Committee, the Chairman of the Board shall have regard to any opinion expressed by the Committee as to the nature of the matters on which medical advice would be useful.

Documents for hearing

39.—(1) The Complaints Committee may, at any stage of the hearing —

- (a) with the consent of the respondent; or

- (b) where, after consultation with the legal assessor, it is satisfied that its reception is desirable to enable it to carry out the inquiry,

refer to any written statement or medical reference material, notwithstanding that its author or, in the case of medical reference material, a medical expert may not be called, if a copy of the written statement or medical reference material is made available to the respondent at or before the hearing.

(2) Where the Complaints Committee is of the opinion that the written statement or medical reference material which it referred to should be supplemented by oral testimony, the Committee may require the author or, in the case of medical reference material, a medical expert be called as a witness, and adjourn the hearing for that purpose.

(3) The Complaints Committee shall be entitled to disregard the written statement or medical reference material upon the resumption of hearing if the oral testimony requested for is not given.

Application of certain regulations

40. Regulations 27(3), (4) and (5), 28, 29, 31 and 32 shall apply, with the necessary modifications, to a hearing under this Division.

Resumed hearing

41.—(1) Regulation 30 shall apply to a hearing under this Division in the same manner as it applies to a hearing under Division 2.

(2) Before resuming any hearing, the Chairman of the Complaints Committee may invite the respondent to submit to a further medical examination in the manner provided in regulation 35 with such modifications as the Committee thinks fit.

(3) The validity of any hearing by the Complaints Committee shall not be called into question by reason only that any medical assessor who was present at the original hearing was not present at the resumed hearing or that a medical assessor present at the resumed hearing was not present at the original hearing.

Matters which Complaints Committee may consider

42. In making its finding as to the fitness of the respondent to practise, the Complaints Committee shall be entitled to consider the respondent's current physical or mental condition, or a continuing or episodic condition, or a condition which, although currently in remission, may be expected to recur.

*Division 4 — Procedure before Board***Report of Complaints Committee**

43.—(1) The report of a Complaints Committee to the Board shall consist of the information obtained by the Committee, its findings and recommendations.

(2) The information shall be set out in the form of a narrative but the Complaints Committee may, in its discretion, record any particular question and answer.

(3) Where a hearing is conducted, the proceeding shall be recorded in sufficient detail to enable the Board to follow the course of the proceeding.

(4) The Complaints Committee may recommend to the Board to do any of the following:

- (a) order that the complaint or matter be dismissed;
- (b) order that a penalty or a combination of the penalties referred to in section 19(2) and (2A) of the Act be imposed;
- (c) make such other order as the Committee considers appropriate.

Decision of Board

44.—(1) The Board may, upon considering the report of the Complaints Committee, either —

- (a) accept the recommendation and make the recommended order;
- (b) require the Committee to reconvene to consider further evidence and to meet for that purpose; or

(c) make such other order as the Board thinks fit.

(2) The respondent shall be given no less than 14 days' notice of any further hearing convened by the Complaints Committee under paragraph (1)(b).

(3) The Board shall notify the respondent concerned and the person who made the complaint or gave the information, if any, of its decision.

(4) The Board may announce any order made in such terms as the Board may approve.

Transcript of notes of investigation

45. Upon the application of any interested party and payment of the applicable fee specified in the Second Schedule, the Board may furnish that party with a transcript of the notes of any investigation by a Complaints Committee and its findings, the Board's decision or a copy of any document tendered at a hearing by the Committee under this Part.

Publication of account of investigation

46. The Board may, in its discretion, publish an account of the investigation by a Complaints Committee and its findings and the Board's decision.

PART V

RE-REGISTRATION, RE-ENROLMENT AND RE-CERTIFICATION

Application for re-registration, re-enrolment and re-certification

47.—(1) An application for the re-registration, re-enrolment or re-certification of a person whose registration, enrolment or certification has been cancelled under section 19 of the Act —

(a) shall be made in the form set out at the Board's Internet website at <http://www.snb.gov.sg>;

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- (b) shall state the grounds on which the application is made;
- (c) shall be accompanied by any other information, statements or documents required by the Board; and
- (d) shall be accompanied by the applicable fee specified in the Second Schedule.

(2) Without prejudice to the generality of paragraph (1)(c), the Board may require the applicant to furnish proof that he has adequate clinical skills to practise nursing, midwifery or a specialised branch of nursing, as the case may be, and for that purpose may require the applicant —

- (a) to undergo a competency assessment; and
- (b) to attend such courses of instruction as the Board may determine.

(3) In addition to the requirements in paragraph (1), an application for the re-registration, re-enrolment or re-certification of a person whose registration, enrolment or certification has been cancelled on any of the grounds referred to in section 19(1)(b) to (e) of the Act shall be accompanied by —

- (a) a statutory declaration in Form 7; and
- (b) at least 2 certificates of the applicant's identity and good character in Form 8, each signed by a different person who is not a related person.

(4) In addition to the requirements in paragraph (1), an application for the re-registration, re-enrolment or re-certification of a person whose registration, enrolment or certification has been cancelled on the ground referred to in section 19(1)(f) of the Act shall be supported by medical reports given by 2 medical practitioners certifying that the applicant is fit to practise nursing, midwifery or a specialised branch of nursing, as the case may be.

(5) In addition to the requirements in paragraph (1), an application for the re-registration, re-enrolment or re-certification of a person whose registration, enrolment or certification has been cancelled on the ground referred to in section 19(1)(g) of the Act shall, unless the Board has otherwise directed, be supported by —

- (a) a statement from the registration, enrolment or certification body of a country where the applicant has last practised nursing, midwifery or a specialised branch of nursing, as the case may be, verifying such matter as the Board may require; and
- (b) a medical report given by a medical practitioner approved by the Board certifying that the applicant is fit to practise nursing, midwifery or a specialised branch of nursing, as the case may be.

(6) The Board may, if it thinks fit in any case or class of cases, require the applicant to furnish further evidence or information or dispense with any requirement referred to in this regulation.

(7) In paragraph (3)(b), “related person” means the applicant’s spouse, parent, sibling or child.

Consideration by Board

48.—(1) On receipt of an application referred to in regulation 47, the Registrar shall refer it to the Board for consideration.

(2) Except with the leave of the Board, the applicant shall not appear before the Board on the consideration of the application.

(3) The Board shall consider the application in private and may, if it thinks fit, adjourn the consideration to a future date or require the applicant to be examined by medical practitioners to be appointed by the Board.

PART VI

ACCREDITATION OF COURSES AND TRAINING INSTITUTIONS

Education Committee

49.—(1) The Board may appoint a committee to be known as the Education Committee.

(2) The Education Committee shall consist of at least 4 members of the Board and such number of other persons as the Board may decide.

(3) The Board shall appoint a member of the Education Committee as the chairman of the Committee.

(4) The term of office of the members and the quorum of the Education Committee shall be determined by the Board.

(5) The Education Committee shall —

- (a) make recommendations to the Board regarding the accreditation of courses in Singapore for the purposes of registration or enrolment;
- (b) make recommendations to the Board regarding the accreditation of courses in Singapore which provide qualifications in nursing or midwifery in addition to those required for registration or enrolment;
- (c) consider applications for accreditation of courses referred to in sub-paragraph (b), and advise the Board whether to approve the application, and the conditions or restrictions, if any, to be imposed;
- (d) make recommendations to the Board regarding the accreditation of institutions in Singapore offering any of the courses referred to in sub-paragraphs (a) and (b); and
- (e) make recommendations to the Board regarding the training and education of registered nurses, enrolled nurses and registered midwives.

Advanced Practice Nurse Training Committee

50.—(1) The Board may appoint a committee to be known as the Advanced Practice Nurse Training Committee.

(2) The Advanced Practice Nurse Training Committee shall consist of such number of persons as the Board may determine.

(3) The Board shall appoint a member of the Advanced Practice Nurse Training Committee as the chairman of the Committee.

(4) The term of office of the members and the quorum of the Advanced Practice Nurse Training Committee shall be determined by the Board.

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- (5) The Advanced Practice Nurse Training Committee shall —
- (a) assist the Board to review and approve Advanced Practice Nurse training curricula and programmes;
 - (b) make recommendations to the Board regarding the accreditation of courses in Singapore for the purposes of certification;
 - (c) make recommendations to the Board regarding the accreditation of departments and institutions in Singapore as training centres for the purposes of certification;
 - (d) formulate and set standards for the training of persons seeking to qualify for certification;
 - (e) determine the continuing professional development programme for Advanced Practice Nurses; and
 - (f) advise the Board on the equivalent educational qualifications and work experience obtained outside Singapore which would qualify an applicant to be certified as an Advanced Practice Nurse.

Application for accreditation of courses

51.—(1) An application for the accreditation of a course referred to in regulations 49(5)(b) and 50(5)(b) shall be made to the Board in such form as the Board may determine and shall be accompanied by —

- (a) the applicable fee specified in the Second Schedule; and
- (b) such information, statement or document as the Board may require.

(2) The Board, the Education Committee or the Advanced Practice Nurse Training Committee may, in considering the application, make such inquiries and take such other steps as it may consider appropriate.

(3) Without prejudice to the generality of paragraph (2), the Board, the Education Committee or the Advanced Practice Nurse Training

Committee may interview applicants or appoint a person to conduct such interviews.

PART VII

GENERAL

Consent required for practice on own account, etc.

52.—(1) No registered nurse or enrolled nurse may practise nursing on his own account or in partnership with another except with the prior written consent of the Board.

(2) No registered midwife may practise midwifery on his own account or in partnership with another except with the prior written consent of the Board.

(3) Any person who contravenes this regulation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

Prescribed period under section 19(1)(g) of Act

53. For the purposes of section 19(1)(g) of the Act, the prescribed period shall be 5 years.

Fees

54.—(1) The fees specified in the second column of the Second Schedule shall be payable to the Board (and non-refundable where specified) in respect of the matters set out in the first column thereof.

(2) The Board may, subject to such conditions as it may determine, waive all or any of the fees payable under these Regulations in respect of any person or class of persons.

(3) The Board may remit or refund, in whole or in part, any fee payable under these Regulations in any particular case or class of cases, other than a non-refundable fee specified in the Second Schedule.

Revocation

55. The Nurses and Midwives Regulations (Rg 1) are revoked.

Savings and transitional provisions

56. Notwithstanding regulation 55, the revoked Nurses and Midwives Regulations shall continue to apply as if not revoked to —

- (a) any pending application for admission to the Register or Roll made before 1st April 2012 under section 14 of the Act;
- (b) any pending application for the application for Certification as an Advanced Practice Nurse made before 1st April 2012 under section 32 of the Act;
- (c) any pending application for re-certification as an Advanced Practice Nurse made before 1st April 2012 under section 23 of the Act;
- (d) any pending application for the re-registration or re-enrolment made before 1st April 2012 under section 23 of the Act;
- (e) any pending application for the renewal of a practising certificate for nurses and midwives made to the Board before 1st April 2012; and
- (f) any inquiry, investigation or proceedings of a disciplinary nature commenced before 1st April 2012 and pending.

FIRST SCHEDULE

Regulation 4

SPECIALISED BRANCHES OF NURSING

1. Acute Care
2. Medical or Surgical
3. Mental Health
4. Community Nursing.

SECOND SCHEDULE

Regulations 8(1), 9(1), 19(2) and (3),
20(2), 45, 47(1), 51(1) and 54(1)
and (3)

FEES

<i>First column</i>	<i>Second column</i>
1.—(1) Application for —	
(a) registration or enrolment —	
(i) by a locally-qualified nurse or midwife	\$30 (non-refundable)
(ii) by a foreign-qualified nurse or midwife	\$60 (non-refundable)
(b) certification as an Advanced Practice Nurse	\$200 (non-refundable)
(2) Registration —	
(a) as a registered nurse —	
(i) of a locally-qualified nurse	\$30 (non-refundable)
(ii) of a foreign-qualified nurse	\$55 (non-refundable)
(b) as a registered midwife —	
(i) of a locally-qualified midwife	\$20 (non-refundable)
(ii) of a foreign-qualified midwife	\$55 (non-refundable)
(3) Enrolment as an enrolled nurse —	
(a) of a locally-qualified nurse	\$30 (non-refundable)
(b) of a foreign-qualified nurse	\$50 (non-refundable)
(4) Certification of person as an Advanced Practice Nurse	\$40 (non-refundable)
(5) Application for practising certificate —	

SECOND SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
(a) for a registered nurse (who is not an Advanced Practice Nurse)	\$55 per year (non-refundable)
(b) for a registered midwife or an enrolled nurse	\$35 per year (non-refundable)
(c) for a registered nurse who is an Advanced Practice Nurse	\$75 per year (non-refundable)
(6) Additional administrative charge if payment of item (5) is made by cash, cheque, bank draft or money or postal order	\$2 (non-refundable)
(7) Late application fee for practising certificate —	
(a) for a registered nurse (who is not an Advanced Practice Nurse)	\$40
(b) for a registered midwife or an enrolled nurse	\$30
(c) for a registered nurse who is an Advanced Practice Nurse	\$30
(8) Application for re-registration or re-enrolment —	
(a) as a registered nurse	\$40 (non-refundable)
(b) as a registered midwife or an enrolled nurse	\$20 (non-refundable)
(9) Application for re-certification as an Advanced Practice Nurse	\$100 (non-refundable)
(10) Replacement of certificate of registration, certificate of enrolment, Advanced Practice Nurse certificate or practising certificate	\$50
(11) Application for verification of registration, enrolment or certification	\$40

SECOND SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
(12) Application for change of condition of registration, enrolment or certification as to place of practice	\$55
(13) Application for accreditation of a course —	
(a) for a course of study leading to any academic or professional qualification in nursing in the form of an award of a certificate, diploma, advanced diploma or degree recognised by the Board	\$1,000
(b) for any other course	\$700
(14) Application for re-accreditation of a course —	
(a) for a course of study leading to any academic or professional qualification in nursing in the form of an award of a certificate, diploma, advanced diploma or degree recognised by the Board	\$650
(b) for any other course	\$400
(15) Issue of certificate of accreditation	\$5 per certificate
(16) Transcript of investigation, findings or decision —	
(a) where transcription is done by a private party engaged by the Board	Cost of transcription and 10% of the cost
(b) in any other case	\$10 per page
(17) Copy of document tendered at hearing	\$10 per page.

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SECOND SCHEDULE — *continued*

2. In this Schedule —

“foreign-qualified”, in relation to a nurse or a midwife, means a person who is qualified to be registered or enrolled under section 14(1)(a)(ii), (2)(a)(ii) or (3)(a)(ii) of the Act, as the case may be;

“locally-qualified”, in relation to a nurse or a midwife, means a person who is qualified to be registered or enrolled under section 14(1)(a)(i), (2)(a)(i) or (3)(a)(i) of the Act, as the case may be.

THIRD SCHEDULE

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FORM 7

Regulation 47(3)

NURSES AND MIDWIVES ACT
(CHAPTER 209)NURSES AND MIDWIVES
REGULATIONS**STATUTORY DECLARATION FOR
RE-REGISTRATION, RE-ENROLMENT OR RE-CERTIFICATION
UNDER SECTION 23**

I, _____ of _____

(name of applicant)

(address in full)

do solemnly and sincerely declare as follows:

1. I am the person originally registered¹/enrolled¹ as a nurse¹/registered as a midwife¹/and certified as an Advanced Practice Nurse¹ with the qualification(s) _____ (state qualifications)

and I hereby apply to be —

- re-registered as a nurse¹

THIRD SCHEDULE — *continued*

- re-registered as a midwife¹
- re-enrolled as a nurse¹
- re-certified as an Advocate Practice Nurse.¹

2. To the best of my knowledge, I am not suffering from any physical or mental condition which impairs my fitness to practise nursing¹/midwifery¹/a specialised branch of nursing, namely¹ _____ (specify clinical specialty) and I am not undergoing treatment for such a condition except for _____ (give particulars of any such condition and treatment).

3. On _____ (state day and date) my registration as a registered nurse¹/enrolment as an enrolled nurse*/registration as a registered midwife¹/certification as an Advanced Practice Nurse¹ was cancelled by the Board.

Since the cancellation, my occupation has been _____.
(state occupation)

4. The grounds of my application are in the attached document, and I make this solemn declaration by virtue of the provisions of the Oaths and Declarations Act (Cap. 211), and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

Signed _____

Declared at _____ on this _____ day of _____ 20 _____.
(state place)

Before me

Commissioner for Oaths/Justice of the Peace

¹Delete whichever is inapplicable.

FORM 8

Regulation 47(3)

NURSES AND MIDWIVES ACT
(CHAPTER 209)

NURSES AND MIDWIVES
REGULATIONS

CERTIFICATE OF IDENTITY AND GOOD CHARACTER

THIRD SCHEDULE — *continued*

I, _____ (name of person) of _____ (address in full) certify as follows:

1. I am a _____ (state occupation).
2. I am not a spouse, parent, sibling or child of _____ (name of applicant for re-registration, re-enrolment or re-certification under section 23 of the Act).
3. I have read the statutory declaration of _____ (applicant) made on _____ (state day and date).
4. The said _____ (applicant) is the same person whose name formerly stood in the Register of Nurses/Register of Midwives/Roll of Nurses/Advanced Practice Nurse Register¹ with the following qualifications or status _____.
5. I have been and am well acquainted with the said _____ (applicant) as _____ (capacity in which applicant is known) both before and since his/her¹ name was removed from the Register/Roll/Advanced Practice Nurse Register¹, and I believe him/her¹ to be a person of good character, and the statements in his/her¹ statutory declaration are, to the best of my knowledge, information and belief, true.

Signed:

Date:

¹Delete whichever is inapplicable.

Made this 27th day of March 2012.

NELLIE TANG MUAY KIAH
Chairman,
Singapore Nursing Board,
Singapore.

[SNB 1:7 Vol. 2; AG/LLRD/SL/209/2010/2 Vol. 1]