



STATUTORY INSTRUMENTS.

S.I. No. 689 of 2010



NURSES RULES, 2010

(Prn. A10/2008)

S.I. No. 689 of 2010
NURSES RULES, 2010
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S.I. No. 689 of 2010

NURSES RULES, 2010

An Bord Altranais in exercise of the powers conferred on it by Sections 11, 26, 27, 28, 31, 32 and 33 of the Nurses Act, 1985, and by Statutory Instrument, S.I. No. 3 of 2010, Health (An Bord Altranais) (Additional Functions) Order 2010 hereby makes the following Rules:—

PART I— PRELIMINARY

1 Citation

- 1.1 These Rules may be cited as the Nurses Rules, 2010
- 1.2 The Nurses Rules, 2007 are hereby revoked in full.

2 Interpretation

- 2.1 In these Rules, unless the context otherwise requires, the following expressions have the meanings respectively assigned to them—

“the Act” means the Nurses Act, 1985 (No. 18 of 1985);

“the Board” means An Bord Altranais or the Nursing Board established by the Act;

“candidate” means a person whose name has been entered on the Candidate Register as provided for in Rule 10;

“Chief Executive Officer” means the person who is for the time being acting as Chief Executive Officer of the Board and includes any person duly authorised to act and acting on his/her behalf;

“Member State” means a state, other than this State, which is a member of the European Union;

“midwife” means a person whose name is entered in the Midwives Division of the Register;

“the Minister” means the Minister for Health and Children;

“nurse” means a person whose name is entered in the Register and includes a midwife and “nursing” includes midwifery;

“the Register” means the Register of Nurses maintained by the Board pursuant to the provisions of Section 27 of the Act;

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 25th March, 2011.

“Registered General Nurse” or

“Registered Psychiatric Nurse” or

“Registered Children’s Nurse” or

“Registered Nurse Intellectual Disability” or

“Registered Midwife” or

“Registered Public Health Nurse” or

“Registered Nurse Tutor” or

“Registered Nurse Prescriber” or

“Registered Advanced Nurse Practitioner” or

“Registered Advanced Midwife Practitioner” means a person whose name is entered in the relevant Division of the Register as provided for in Rule 3;

“Advanced Nurse Practitioner Post” means a post accredited by an Bord Altranais as being an Advanced Nurse Practitioner Post;

“Advanced Midwife Practitioner Post” means a post accredited by An Bord Altranais as being an Advanced Midwife Practitioner Post;

“National Council” means the National Council for the Professional Development of Nursing and Midwifery, established under Statutory Instrument, S.I. No. 376 of 1999.

PART II — REGISTRATION

3 The Register

3.1 Subject to the provisions of Rule 12, the Register of Nurses maintained by An Bord Altranais in accordance with Section 27 of the Act shall be divided into the following Divisions:—

- (i) The General Nurses Division containing the names of persons admitted to the Register as qualified and competent to practise as Registered General Nurses
(Abbreviation R.G.N.)
- (ii) The Psychiatric Nurses Division containing the names of persons admitted to the Register as qualified and competent to practise as Registered Psychiatric Nurses
(Abbreviation R.P.N.)
- (iii) The Children’s Nurses Division (formerly the Sick Children’s Nurse Division) containing the names of persons admitted to the

Register as qualified and competent to practise as Registered Children's Nurses

(Abbreviation R.C.N.)

(iv) The Intellectual Disability Nurses Division (formerly the Mental Handicap Nurse Division) containing the names of persons admitted to the Register as qualified and competent to practise as Registered Nurses Intellectual Disability

(Abbreviation R.N.I.D.)

(v) The Midwives Division containing the names of persons admitted to the Register as qualified and competent to practise as Registered Midwives

(Abbreviation R.M.)

(vi) The Public Health Nurses Division containing the names of persons admitted to the Register as qualified and competent to practise as Registered Public Health Nurses

(Abbreviation R.P.H.N.)

(vii) The Nurse Tutors Division containing the names of persons admitted to the Register as qualified and competent to practise as Registered Nurse Tutors

(Abbreviation R.N.T.)

(viii) The Nurse Prescribers Division containing the names of persons admitted to the Register as qualified and competent to practice as Registered Nurse Prescribers

(Abbreviation R.N.P.)

(ix) The Advanced Nurse Practitioner Division containing the names of persons admitted to the Register as qualified and competent to practice as Registered Advanced Nurse Practitioners in accordance with the provisions of Rule 3.2 (a).

(Abbreviation R.A.N.P.)

(x) The Advanced Midwife Practitioner Division containing the names of persons admitted to the Register as qualified and competent to practice as Registered Advanced Midwife Practitioners in accordance with the provisions of Rule 3.2 (b).

(Abbreviation R.A.M.P.)

3.2 (a) A person shall not be admitted to the Advanced Nurse Practitioner Division of the Register unless he or she has received an offer of employment in respect of the specified Advanced Nurse Practitioner post and shall not be entitled to the registration of his or her name in the Advanced Nurse Practitioner Division of the Register unless he or she takes up duty in the specified and accredited post concerned.

(b) A person shall not be admitted to the Advanced Midwife Practitioner Division of the Register unless he or she has received an offer of

employment in respect of the specified Advanced Midwife Practitioner post and shall not be entitled to the registration of his or her name in the Advanced Midwife Practitioner Division of the Register unless he or she takes up duty in the specified and accredited post concerned.

- 3.3 An Bord Altranais may register a person in more than one Division of the Register if such person applies and satisfies the prescribed conditions for registration in each such Division.
- 3.4 The abbreviations shown in paragraph 1 of this Rule shall be used to designate nurses and midwives registered in such Divisions.
- 3.5 An Bord Altranais shall register in the appropriate Division of the Register the name of every person who has applied for registration, has paid the appropriate registration fee and who has satisfied An Bord Altranais that such person complies with the prescribed conditions for registration.
- 3.6 Before admission to any Division of the Register an applicant, unless entitled to be registered under any Directive adopted by the Council of the European Union, shall
- (a) have completed to the satisfaction of An Bord Altranais the prescribed course of education and training for that Division in an institution(s) approved by An Bord Altranais under Section 34 of the Act for that purpose and have passed the assessments prescribed by the institution(s),
or
 - (b) notwithstanding the provisions of Rule 5, if the education of the person applying for registration took place outside the State, satisfy An Bord Altranais that such education and training was adequate and that he/she is competent to practise in the discipline of nursing in which registration is being sought,
or
 - (c) notwithstanding the provisions of Rule 3.6 (a), Rule 3.6 (b) and Rule 5, a person applying for registration in the Advanced Nurse Practitioner Division of the Register must satisfy An Bord Altranais that he or she has met criteria set by the National Council, and that he or she has received an offer of employment in respect of the specified and accredited Advanced Nurse Practitioner post concerned,
or
 - (d) notwithstanding the provisions of Rule 3.6 (a), Rule 3.6 (b) and Rule 5, a person applying for registration in the Advanced Midwife Practitioner Division of the register must satisfy An Bord Altranais that he or she has met criteria set by the National Council, and that he or

she has received an offer of employment in respect of the specified and accredited Advanced Midwife Practitioner post concerned.

- 3.7 In considering an application for registration, An Bord Altranais shall be entitled to require such evidence as it sees fit in relation to the applicant's education and training, character, age, health or any other matter relevant to the application as will enable An Bord Altranais to determine the application, always provided that in the case of an application from a national of a Member State of the European Union whose education and training took place in a Member State other than this State, the application is dealt with in accordance with any relevant Directive of the European Union and is accompanied by an appropriate certificate from the competent authority in the State in which education and training took place and the fee from time to time determined by An Bord Altranais with the consent of the Minister in accordance with Section 25(a) and (d) of the Act.
- 3.8 Each Division of the Register shall show in respect of each person admitted to that Division the following particulars:—
- (a) date of registration;
 - (b) a personal identification number which will be assigned to each registered nurse or midwife;
 - (c) full names;
 - (d) gender;
 - (e) date of birth;
 - (f) address;
 - (g) details of education and training leading to registration in that division;
- 3.9 Any change in the name or address of a person whose name is entered in the Register shall be notified to An Bord Altranais by the person.
- 3.10 (a) Continued registration of each person admitted to the Register shall be subject to the payment of the appropriate retention fee.
- (b) The retention fee shall become payable on the 1st day of January in respect of each calendar year following the year in which the initial registration takes place except that in cases where initial registration takes place between 1st September and 31st December the retention fee shall not be payable in respect of the calendar year immediately following such registration.

- 3.11 (a) Only those persons whose name is entered in the Nurse Prescribers Division of the Register may issue a prescription pursuant to the prevailing legislation at the time.
- (b) In addition to Rule 3.8 the Nurse Prescribers Division of the Register shall show in respect of each person admitted to that Division the following particulars:—
- (i) details of the name and address of the employer and location of the place of employment.
- (c) A person whose name is entered in the Nurse Prescribers Division of the Register shall notify An Bord Altranais of any change in the name or address of the employer or the location of the place of employment.
- (d) Notwithstanding the provisions of Rule 3.6, a person shall not be entitled to registration in the Nurse Prescribers Division of the Register unless his or her name is already entered in the Register.
- 3.12 (a) Notwithstanding the provisions of Rule 3.6, a person shall not be entitled to registration in the Advanced Nurse Practitioner Division of the Register until he or she has received an offer of employment in respect of the specified and accredited Advanced Nurse Practitioner post concerned and unless he or she takes up duty in the post concerned.
- (b) Notwithstanding the provisions of Rule 3.6, a person shall not be entitled to registration in the Advanced Midwife Practitioner Division of the Register until he or she has received an offer of employment in respect of the specified and accredited Advanced Midwife Practitioner post concerned and unless he or she takes up duty in the post concerned.
- (c) Notwithstanding the provisions of Rule 3.6, a person shall not be entitled to registration in the Advanced Nurse Practitioner Division of the Register unless his or her name is already entered in one of the following Divisions of the Register: General Nurse, Psychiatric Nurse, Children's Nurse, Intellectual Disability Nurse.
- (d) Notwithstanding the provisions of Rule 3.6, a person shall not be entitled to registration in the Advanced Midwife Practitioner Division of the Register unless his or her name is already entered in the Midwives Division of the Register.
- (e) Notwithstanding the provisions of Rule 3.7, in considering an application for registration in the Advanced Nurse Practitioner Division of the Register, An Bord Altranais shall require evidence to demonstrate achievement of criteria set by the National Council.
- (f) Notwithstanding the provisions of Rule 3.7, in considering an application for accreditation and registration in the Advanced Midwife

Practitioner Division of the Register, An Bord Altranais shall require evidence to demonstrate achievement of criteria set by the National Council.

- (g) In addition to Rule 3.8, the Advanced Nurse Practitioner Division of the Register shall show in respect of each person admitted to that Division the following particulars:—
 - (i) details of the persons employment in the specified and accredited Advanced Nurse Practitioner post concerned and the date of accreditation of that post.
 - (ii) the title of the persons post, as determined by An Bord Altranais in accordance with criteria set by the National Council.
- (h) In addition to Rule 3.8, the Advanced Midwife Practitioner Division of the Register shall show in respect of each person admitted to that Division the following particulars:—
 - (i) details of the persons employment in the specified and accredited Advanced Midwife Practitioner post concerned and the date of accreditation of that post.
 - (ii) the title of the persons post, as determined by An Bord Altranais, in accordance with criteria set by the National Council.
- (i) A person whose name is entered in the Advanced Nurse Practitioner Division of the Register shall notify An Bord Altranais in writing forthwith upon the cessation of that person's employment in the specified and accredited Advanced Nurse Practitioner post concerned.
- (j) A person whose name is entered in the Advanced Midwife Practitioner Division of the Register shall notify An Bord in writing forthwith upon the cessation of that person's employment in the specified and accredited Advanced Midwife Practitioner post concerned.
- (k) An Employer who employs a person whose name is entered in the Advanced Nurse Practitioner Division of the Register shall notify An Bord Altranais in writing forthwith upon the cessation of that person's employment in the specified and accredited Advanced Nurse Practitioner post concerned.
- (l) An Employer who employs a person whose name is entered in the Advanced Midwife Practitioner Division of the Register shall notify An Bord Altranais in writing forthwith upon the cessation of that person's employment in the specified and accredited Advanced Midwife Practitioner post concerned.
- (m) Notwithstanding any of the preceding provisions of Rule 3, An Bord Altranais will remove from the Advanced Nurse Practitioner Division

of the Register, the names and particulars of a person whose name and particulars are registered in the Advanced Nurse Practitioner Division of the Register and where that person no longer complies with the criteria set by the National Council, or upon the cessation of that person's employment in the specified and accredited Advanced Nurse Practitioner post concerned.

- (n) Notwithstanding any of the preceding provisions of Rule 3, An Bord Altranais will remove from the Advanced Midwife Practitioner Division of the Register, the names and particulars of a person whose name and particulars are registered in the Advanced Midwife Practitioner Division of the Register and where that person no longer complies with the criteria set by the National Council, or upon the cessation of that person's employment in the specified and accredited Advanced Midwife Practitioner post concerned.

PART III — REQUIREMENTS AND STANDARDS

4 Requirements and Standards

- 4.1 An Bord Altranais shall stipulate requirements and standards in respect of each education and training programme referred to in Rule 5 of these Rules containing details, including minimum duration, of theoretical and clinical instruction required to be undertaken by each candidate for satisfactory completion of such programme.
- 4.2 An Bord Altranais shall stipulate requirements and standards in respect of *Return to Nursing Practice* and *Return to Midwifery Practice* programmes containing details of theoretical and clinical instruction required to be undertaken by each person and competencies to be attained by each person for successful completion of the programme.
- 4.3 An Bord Altranais shall stipulate requirements and standards in respect of applicants for entry to any Division of the Register whose education and training took place in a country that is not a Member State of the European Union.
- 4.4 An Bord Altranais shall stipulate requirements and standards in respect of applicants for entry to any Division of the Register whose education and training took place in a country that is a Member State of the European Union and who is not entitled to registration in this State under the terms of any relevant Directive of the European Union.
- 4.5 An Bord Altranais may stipulate requirements and standards in respect of education and training programmes for nurses that do not lead to registration in a Division of the Register, containing details of theoretical and clinical instruction required to be undertaken and competencies to be attained by each person for satisfactory completion of such programme.

- 4.6 Notwithstanding the provisions of Rules 4.1, 4.3, and 4.4, persons applying for registration in the Advanced Nurse Practitioner Division of the Register must meet criteria set by the National Council. An Bord Altranais shall stipulate the administrative and evidential requirements to be met in relation to the demonstration of satisfactory fulfilment of such criteria.
- 4.7 Notwithstanding the provisions of Rules 4.1, 4.3, and 4.4, persons applying for registration in the Advanced Midwife Practitioner Division of the Register must meet criteria set by the National Council. An Bord Altranais shall stipulate the administrative and evidential requirements to be met in relation to the demonstration of satisfactory fulfilment of such criteria.

PART IV — EDUCATION AND TRAINING PROGRAMMES

5 Education and Training Programmes leading to Registration

- 5.1 Subject to Rule 6 of these Rules, the education and training required for admission to the General Nurses Division of the Register shall be in accordance with the requirements and standards set out by An Bord Altranais for that purpose, in accordance with a curriculum approved by An Bord Altranais and carried out in educational institution(s) and hospital(s) approved by An Bord Altranais for the education and training of General Nurses.
- 5.2 Subject to Rule 6 of these Rules, the education and training required for admission to the Psychiatric Nurses Division of the Register shall be in accordance with the requirements and standards set out by An Bord Altranais for that purpose, in accordance with a curriculum approved by An Bord Altranais and carried out in educational institution(s) and hospital(s) approved by An Bord Altranais for the education and training of Psychiatric Nurses.
- 5.3 Subject to Rule 6 of these Rules, the education and training required for admission to the Intellectual Disability Nurses Division of the Register shall be in accordance with the requirements and standards set out by An Bord Altranais for that purpose, in accordance with a curriculum approved by An Bord Altranais and carried out in educational institution(s) and hospital(s) approved by An Bord Altranais for the education and training of Intellectual Disability Nurses.
- 5.4 Subject to Rule 6 of these Rules, the education and training required for admission to the Children’s Nurses Division of the Register shall be in accordance with the requirements and standards set out by An Bord Altranais for that purpose, in accordance with a curriculum approved by An Bord Altranais and carried out in educational institution(s) and hospital(s) approved by An Bord Altranais for the education and training of Children’s Nurses.
- 5.5 Subject to Rule 6 of these Rules, the education and training required for admission to both the General and Children’s Nurses Divisions of the

Register shall be in accordance with the requirements and standards set out by An Bord Altranais for that purpose, in accordance with a curriculum approved by An Bord Altranais and carried out in educational institution(s) and hospital(s) approved by An Bord Altranais for the education and training of General and Children's Nurses.

- 5.6 In the case of a person whose name is already entered in one of the Divisions of the Register referred to in paragraphs 1, 2, 3, 4 and 5 of this Rule and who wish to be registered in one of the other Divisions referred to in those paragraphs, the education and training shall be in accordance with the requirements and standards set out by An Bord Altranais for such shortened period of education and training for that other Division, in accordance with a curriculum approved by An Bord Altranais and carried out in educational institution(s) and hospital(s) approved by An Bord Altranais for that purpose.
- 5.7 Subject to Rule 6 of these Rules, the education and training required for admission to the Midwives Division of the Register shall be in accordance with the requirements and standards set out by An Bord Altranais for that purpose, in accordance with a curriculum approved by An Bord Altranais and carried out in educational institution(s) and hospital(s) approved by An Bord Altranais for that purpose.
- 5.8 Subject to Rule 6 of these Rules, the education and training required for admission to the Public Health Nurses Division of the Register shall be in accordance with the requirements and standards set out by An Bord Altranais for that purpose, in accordance with a curriculum approved by An Bord Altranais and carried out in educational institution(s) and hospital(s) approved by An Bord Altranais for that purpose.
- 5.9 Subject to Rule 6 of these Rules, the education and training required for admission to the Nurse Tutors Division of the Register shall be in accordance with the requirements and standards set out by An Bord Altranais for that purpose, in accordance with a curriculum approved by An Bord Altranais and carried out in educational institution(s) and hospital(s) approved by An Bord Altranais for that purpose.
- 5.10 Subject to Rule 6 of these Rules, the education and training required for admission to the Nurse Prescribers Division of the Register shall be in accordance with the requirements and standards set out by An Bord Altranais for that purpose, in accordance with a curriculum approved by An Bord Altranais and carried out in educational institution(s) and hospital(s) approved by An Bord Altranais for that purpose.
- 5.11 Notwithstanding the provision of Rule 5.6 and subject to Rule 6 of these Rules, admission to the Advanced Nurse Practitioner Division of the Register shall be in accordance with criteria set by the National Council.
- 5.12 Notwithstanding the provision of Rule 5.6 and subject to Rule 6 of these Rules, admission to the Advanced Midwife Practitioner Division of the Register shall be in accordance with criteria set by the National Council.

- 6 Minimum Requirements for Admission to Education and Training Programmes in Ireland leading to Registration in the Register**
- 6.1 Before admission to a course leading to Registration in the Register the applicant must:
- (a) have obtained in the Leaving Certificate Examination a minimum grade of C3 in two higher level papers and a minimum grade of D3 in four ordinary or higher level papers in the following subjects:
 - (i) Irish or English
 - (ii) Mathematics
 - (iii) A Laboratory Science Subject (Biology, Physics, Chemistry, Physics and Chemistry or Agricultural Science)
 - (iv) Three other subjects, or
 - (b) have achieved the equivalent minimum educational attainments to the foregoing, such equivalent attainments to be adjudicated upon by the Higher Education Authority established under the Higher Education Act, 1971 (No. 22 of 1971), or
 - (c) meet the minimum educational requirement specified by the third level institution concerned for entry to the course provided that such requirements are not of a lower standard than those set out in subparagraph (a) above, or
 - (d) in the case of an applicant who is 23 years of age or over on the first day of January of the year of application, satisfy An Bord Altranais in such manner as may be determined by it of his or her suitability to undertake the course.
- 6.2 The minimum educational requirements referred to in the foregoing paragraph may be accumulated over any number of sittings of the Leaving Certificate Examination or an equivalent examination.
- 6.3 Admission to the programme of education and training leading to registration in the Midwives Division of the Register, other than the direct entry midwifery registration education programme, is confined to those persons whose name is entered in the General Nurses Division of the Register.
- 6.4 Before admission to the programme of education and training leading to registration in the Public Health Nurses Division of the Register, the name of the candidate for registration must already be entered in the Register and the candidate must have two years clinical experience in nursing. Unless the candidate's name is registered in the Midwives Division of the Register, the candidate must complete an An Bord

Altranais approved module or unit of study on Maternal and Child Health as part of the programme.

- 6.5 Before admission to the programme of education and training leading to registration in the Nurse Tutors Divisions of the Register, the applicant's name must already be entered in one of the other Divisions of the Register.
- 6.6 Before admission to the programme of education and training leading to registration in the Nurse Prescribers Division of the Register, the applicant's name must already be entered in the Register, the applicant must meet the entry requirements and standards set out by An Bord Altranais and the applicant must comply with any conditions set out in legislation prevailing at the time.

7 Approval of Healthcare Institutions and Educational Institutions for Education Purposes

- 7.1 An educational institution or hospital proposing to provide a programme of education and training leading to registration in any Division of the Register shall apply to An Bord Altranais for approval and in this regard shall supply to An Bord Altranais full details of how it is proposed to implement the said programme. Such details shall include
- a full description of its education facilities,
 - the amount of experience each nurse undertaking the education and training programme is assured,
 - details of education to be provided in other hospitals, institutions, or community services,
 - particulars of teachers and lecturers including their qualifications,
 - details of educational facilities available at all centres where education will take place,
 - evidence of systematic arrangements whereby the attendance of each nurse undertaking the education and training programme as required under An Bord Altranais' requirements and standards for such education is assured.
- 7.2 Before granting approval to an educational institution or hospital, An Bord Altranais shall satisfy itself both in regard to the educational institution or hospital and its associated bodies in which education is to be carried out
- (a) that an adequate quantity and quality of clinical practice experience is available;

- (b) that the educational facilities for the nurses undertaking the education programme are adequate;
- (c) that the number of teaching staff and lecturers and their qualifications are adequate;
- (d) that the practice of nursing is of such a standard as to satisfy An Bord Altranais;
- (e) that the accommodation is of a satisfactory standard.

7.3 Before an educational institution or hospital is granted approval, it will be visited and reviewed by representatives of An Bord Altranais.

7.4 The Head of the Department/School of Nursing and Midwifery in the educational institution and/or the Director of Nursing or Chief Nursing Officer in the hospital shall supply to An Bord Altranais such details, as may be required by An Bord Altranais, of any person undertaking the education and training programme.

7.5 (a) Admission to the Advanced Nurse Practitioner Division of the Register shall be in accordance with criteria set by the National Council though such criteria are not required to be subject to the provisions of Rule 7.1, 7.2, 7.3, and 7.4.

(b) Admission to the Advanced Midwife Practitioner Division of the Register shall be in accordance with criteria set by the National Council though such criteria are not required to be subject to the provisions of Rule 7.1, 7.2, 7.3, and 7.4.

8 Accreditation of Posts

8.1 An Bord Altranais will determine and accredit, in accordance with criteria set by the National Council, applications for Advanced Nurse Practitioner posts.

8.2 An Bord Altranais will determine and accredit, in accordance with criteria set by the National Council, applications for Advanced Midwife Practitioner posts.

8.3 An Bord Altranais will remove accreditation from any Advanced Nurse Practitioner post which no longer meets the criteria set by the National Council.

8.4 An Bord Altranais will remove accreditation from any Advanced Midwife Practitioner post which no longer meets the criteria set by the National Council.

9 Assessments — Registration

9.1 Notwithstanding the provisions of Rule 5, An Bord Altranais will make provision with an educational institution or hospital, to carry out written assessments of knowledge attainment and assessment of competency in clinical nursing skills throughout the period of education and training for the purpose of determining whether candidates are qualified for registration in the General Nurse Division, the Psychiatric Nurses Division, the Children's Nurses Division, the Intellectual Disability Nurses Division, the Public Health Nurses Division, the Nurse Tutors Division, or the Nurse Prescribers Division of the Register, subject to the following requirements:—

- (a) An Bord Altranais must be satisfied, by adherence to the attached Schedule A, as to the adequacy and suitability of any assessments carried out by an educational institution or hospital for the purpose of establishing knowledge attainment or competency in clinical nursing skills,
- (b) An Bord Altranais must be satisfied, by adherence to the attached Schedule A, that the assessments to be held by any educational institution or hospital are adequate and suitable to examine theoretical content of the Syllabus stipulated by An Bord Altranais in accordance with the requirements for admission to the particular Division of the Register, and
- (c) each educational institution or hospital with which An Bord Altranais makes such provision shall be approved by An Bord Altranais in accordance with Section 34 of the Nurses Act, 1985.

10 Assessments — Registration (Midwives)

10.1 Notwithstanding the provisions of Rule 5, An Bord Altranais will make provision with an educational institution or hospital, to carry out written assessments of knowledge attainment and assessments of competency in clinical midwifery skills throughout the education and training programme for the purpose of determining whether candidates are qualified for registration in the Midwives Division of the Register, subject to the following requirements:—

- (a) An Bord Altranais must be satisfied, by adherence to the attached Schedule B, as to the adequacy and suitability of any assessments carried out by an educational institution or hospital for the purpose of establishing competency in clinical midwifery skills,
- (b) An Bord Altranais must be satisfied, by adherence to the attached Schedule B, that the assessments to be held by any educational institution or hospital are adequate and suitable to examine the theoretical content of the Syllabus stipulated by An Bord Altranais in accordance with the requirements for admission to the Midwives Division of the Register, and

- (c) each educational institution or hospital with which An Bord Altranais makes such provision shall be approved by An Bord Altranais in accordance with Section 34 of the Nurses Act, 1985.

PART V — CANDIDATE REGISTER

11 Candidate Register

- 11.1 An Bord Altranais shall establish and maintain a register of candidates, to be known as the Candidate Register, in which the name of every such candidate, admitted to an approved programme of education and training leading to registration in the appropriate Division of the Register, shall be entered.
- 11.2 Not later than thirty days after the commencement of the programme, a candidate shall apply to An Bord Altranais on the appropriate form to have her/his name entered in the Candidate Register.
- 11.3 The student's programme of education and training shall be taken to have commenced on the date certified in the appropriate form by a designated person in the approved educational institution.
- 11.4 The Candidate Register shall show in respect of each candidate registered the following particulars:—
- (a) a personal identification number which will be assigned to each candidate
 - (b) full names
 - (c) gender and date of birth
 - (d) address
 - (e) dates of commencement of and cessation of the programme
 - (f) name of approved institution and the title and duration of the programme
- 11.5 Each candidate whose name is entered in the Candidate Register shall be issued with a student card bearing her/his personal identification number, the title of the programme for which she/he is registered and the date of commencement of the programme together with a copy of the appropriate requirements and standards for such programme.
- 11.6 A candidate shall apply to have her/his name entered separately in the Candidate Register for each registration course undertaken.
- 11.7 The designated person referred to in Rule 11.3 above shall inform An Bord Altranais when a candidate ceases to be a participant before the completion of the programme and the reason therefor.

- 11.8 Any change in the name or address of a candidate shall be notified to An Bord Altranais by the candidate.
- 11.9 An individual whose application for entry to one or more Divisions of the Register is being assessed by An Bord Altranais and who is required to undertake a period of adaptation and assessment as part of the assessment process, shall have his/her name entered in the Candidate Register for the duration of the period of adaptation and assessment.
- 11.10 (a) Notwithstanding the provisions of Rule 11, candidates for entry to the Advanced Nurse Practitioner Division of the Register shall not have his or her name entered in the Candidate Register.
- (b) Notwithstanding the provisions of Rule 11, candidates for entry to the Advanced Midwife Practitioner Division of the Register shall not have his or her name entered in the Candidate Register.

PART VI — TRANSITIONAL

12 The Register

- 12.1 A person whose name was entered in the Clinical Teachers Supplementary Division of the former Register shall have the qualification of “Clinical Teacher” entered after his/her name where entered in any Division of the new Register and shall be entitled to use the abbreviation “C.T.” after his/her name.
- 12.2 A person whose name was entered in the Advanced Psychiatric Nurses Supplementary Division of the former Register shall have the qualification of “Advanced Psychiatric Nurse” entered after his/her name’s new entry in the Psychiatric Nurses Division of the new Register.
- 12.3 Persons whose names were entered in the Supplementary Division of the former Register containing names of General nurses who had passed the examination for the Post-Registration Qualification in Tuberculosis shall have the qualification “Qualified Tuberculosis Nurse” entered after his/her name where entered in the new Register.
- 12.4 Persons whose names were entered in the Supplementary Division of the former Register containing the names of General nurses who had passed the examination for the Post-Registration Qualification in Orthopaedic Nursing shall have the qualification “Qualified Orthopaedic Nurse” entered after his/her name where entered in the new Register.
- 12.5 (a) A person whose name was entered in the Infectious Diseases Nurses Division of the former Register and who is entitled to be registered in one or more of the Divisions shall have the qualification “Infectious Diseases Nurse” entered after his/her name where entered in the new Register.

(b) A person whose name was entered in the Infectious Diseases Nurses Division of the former Register and who is not entitled to be registered in one of the Divisions of the new Register shall have his/her name entered on a Supplementary Division of the new Register entitled “Supplementary Infectious Diseases Nurses Division” and shall be entitled to use the initials “R.I.D.N.” after his/her name.

12.6 (a) A person whose name was entered in the Sanatorium Nurses Division of the former Register and who is entitled to be registered in one or more of the Divisions of the new Register shall have the qualification “Sanatorium Nurse” entered after his/her name where entered in the new Register;

(b) A person whose name was entered in the Sanatorium Nurses Division of the former Register and who is not entitled to be registered in one or more of the Divisions of the new Register shall have his/her name entered on a Supplementary Division of the new Register entitled the “Supplementary Sanatorium Nurses Division” and shall be entitled to use the initials “R.S.N.” after his/her name.

PART VII — ELECTIONS TO THE BOARD

13 Returning Officer

13.1 For each election of members to An Bord Altranais pursuant to Section 9 (1) of the Act the Returning Officer shall be the Chief Executive Officer.

13.2 The Returning Officer shall appoint a Deputy Returning Officer, not being a member of An Bord Altranais, to act for him/her in the event of his/her absence or inability to act and the expression Returning Officer in these Rules includes the Deputy Returning Officer so acting.

13.3 The reasonable expenses of the Returning Officer in relation to the conduct of each election shall be paid by An Bord Altranais.

13.4 Subject to the provision of these Rules, the Returning Officer shall be responsible for the conduct of each election and his/her decisions on all matters arising shall be final.

13.5 The Returning Officer or any person employed by him/her for any purpose relating to an election shall not be a candidate or an agent of a candidate at that election or further the candidature of any candidate at that election.

13.6 The Returning Officer shall not employ for any purpose relating to an election a person who, to his/her knowledge, is or has been a candidate or who, to his/her knowledge, has furthered the candidature of a candidate at that election.

14 General Provisions as to Agents

- 14.1 Each candidate for an election may appoint an agent and the name of the person so appointed as agent shall be notified to the Returning Officer in writing by the candidate not less than fourteen days before the polling day for that election.
- 14.2 An agent whose appointment is notified to the Returning Officer under this rule may be present on behalf of the candidate at the ruling on nominations, the sealing of the ballot box or ballot boxes and the counting of votes for that election.

15 Electoral Roll and Electoral Panels

- 15.1 The Electoral Roll for each election of members to An Bord Altranais shall contain the name, address and personal identification number of every person who is registered in the Register and who has paid the annual retention fee in respect of the calendar year immediately preceding the year in which an election takes place, and any arrears of retention fees owing to An Bord Altranais.
- 15.2 The Electoral Roll shall be divided into five panels of electors as follows:

each panel containing the name, address and personal identification number of every person on the Electoral Roll who qualifies to be entered on such panel:—

Panel of Electors

Qualifications for Entry on Panels of Electors

PANEL A

(General including Children's)

Persons whose names are entered in any Division of the Register other than the Psychiatric Nurses Division, the Midwives Division, the Intellectual Disability Nurses Division, and the Public Health Nurses Division and whose names are not entered on any other panel;

PANEL B

(Psychiatric)

Persons whose names are entered in the Psychiatric Nurses Division of the Register and whose names are not entered on any other panel;

PANEL C

(Midwifery)

Persons whose names are entered in the Midwives Division of the Register and whose names are not entered on any other panel;

PANEL D

(Intellectual Disability)

Persons whose names are entered in the Intellectual Disability Nurses Division of the Register and whose names are not entered on any other panel;

PANEL E
(Public Health)

Persons whose names are entered in the Public Health Nurses Division of the Register and whose names are not entered on any other panel.

- 15.3 A person whose name is entered in two or more Divisions of the Register shall not be entitled to have his or her name entered on more than one panel of the Electoral Roll.
- 15.4 Where a nurse's name is entered in more than one Division of the Register, such divisions not forming part of the same panel, the nurse shall be entitled to choose the panel for which he or she is qualified and wishes to exercise the right to vote.
- 15.5 An indication of the choice of panel (as provided for in the immediately preceding paragraph) shall be requested of each nurse entitled to exercise such choice on a form issued by An Bord Altranais. In the absence of such indication from a nurse within three weeks of the issue of the request, An Bord Altranais shall be entitled to allocate such nurse's name to the panel containing the Division of the Register in which the nurse's name was most recently entered.

16 Number, Category and Qualifications of Candidates to be elected by each panel of Electors

- 16.1 The number, category and qualifications of persons, each of whom must be entered on the Electoral Roll as defined in Rule 15 above, to be elected by each panel of electors shall be as follows:

PANELS OF ELECTORS

PANEL A Five persons shall be elected by the electors on PANEL A (General, including Children) of whom:—

- (i) one person shall be a Registered Nurse Tutor or Clinical Teacher who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the education and training of student nurses in an educational institution or hospital approved for the education and training of general nurses;
- (ii) one person shall be a Registered General Nurse who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in nursing administration in a general hospital at the level of Director of Nursing, their deputies or assistants, or equivalents;
- (iii) one person shall be a Registered General Nurse who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the clinical practice

of general nursing at the level of Clinical Nurse Manager or their equivalents in a general hospital;

- (iv) one person shall be a Registered General Nurse who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the clinical practice of general nursing at a level below Clinical Nurse Manager or equivalent in a general hospital;
- (v) one person shall be a Registered Nurse Tutor or Clinical Teacher who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the education and training of student nurses in an educational institution or hospital approved for the education and training of children's nurses.

PANEL B Four persons shall be elected by the electors on PANEL B (Psychiatric) of whom:—

- (i) one person shall be a Registered Nurse Tutor or Clinical Teacher who during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the education and training of student nurses in an educational institution hospital approved for the education and training of psychiatric nurses;
- (ii) one person shall be a Registered Psychiatric Nurse who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in nursing administration at the level of Director of Nursing Mental Health Services, their deputies or assistants, or equivalents;
- (iii) one person shall be a Registered Psychiatric Nurse who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the clinical practice of psychiatric nursing at the level of Clinical Nurse Manager or equivalent in a psychiatric hospital or in a psychiatric unit in a general hospital or in the community;
- (iv) one person shall be a Registered Psychiatric Nurse who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the clinical practice of psychiatric nursing below that of Clinical Nurse Manager or equivalent in a psychiatric hospital on in a psychiatric unit in a general hospital or in the community.

PANEL C Three persons shall be elected by the electors on PANEL C (Midwifery) of whom:—

- (i) one person shall be a Registered Nurse Tutor or Clinical Teacher who, during the twelve-month period immediately preceding the

closing date for receipt of nominations, has been engaged in the education and training of student midwives in an educational institution or hospital approved for the education and training of midwives;

- (ii) one person shall be a Registered Midwife who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the administration of midwifery at the level of Director of Midwifery, their deputies or assistants, or equivalent in a maternity hospital;
- (iii) one person shall be a Registered Midwife who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the clinical practice of midwifery at or below the level of Clinical Midwife Manager of their equivalent in a maternity hospital or in a maternity unit in a general hospital or in the community.

PANEL D Three persons shall be elected by the electors on PANEL D (Intellectual Disability) of whom:—

- (i) one person shall be a Registered Nurse Tutor or Clinical Teacher who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the education and training of student nurses in an educational institution, hospital or centre approved for the education and training of intellectual disability nurses;
- (ii) one person shall be a Registered Nurse Intellectual Disability who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the nursing administration of an intellectual disability centre at the level of Director of Nursing, their deputies or assistants, or equivalents;
- (iii) one person shall be a Registered Nurse Intellectual Disability who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in clinical practice in the nursing of the intellectually disabled at or below the level of Clinical Nurse Manager or their equivalents in an intellectual disability centre or in the community.

PANEL E Two persons shall be elected by the electors on PANEL E (Public Health) of whom:—

- (i) one person shall be a Registered Public Health Nurse who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the administration of public health nursing services as a Director of Public Health Nursing;

- (ii) one person shall be a Registered Public Health Nurse who, during the twelve-month period immediately preceding the closing date for receipt of nominations, has been engaged in the clinical practice of public health nursing below the level of Director of Public Health Nursing.

16.2 For the purpose of this Rule, a hospital or centre “approved for Education and Training” means a hospital or centre or institution approved by An Bord Altranais for providing an approved programme of education and training leading to Registration in the appropriate Division of the Register.

16.3 For the purpose of this Rule, an educational institution “approved for Education and Training” means an educational institution approved by An Bord Altranais for providing an approved programme of education and training leading to Registration in the appropriate Division of the Register.

17 Publication of Notice of Election and further information to Electorate

17.1 Not less than three months before the expiration of the term of office of each Board of An Bord Altranais, the Returning Officer shall publish notice of an election in not less than three national daily newspapers circulating in the State and also in such professional journals or papers as he/she shall select.

17.2 In addition to publication of the notice as provided for in paragraph 17.1 above, the Returning Officer may take whatever steps he/she considers necessary to make the following information available to persons whose names have been entered on the Electoral Roll—

- (a) The qualifications and the experience required of candidates and the number of candidates who may be elected by each Panel of the Electoral Roll; and
- (b) the place at which nomination forms may be obtained; and
- (c) the address to which nomination papers are to be sent; and
- (d) the date and hour (hereinafter referred to as the expiration of the time for receiving nominations) on and at which the period during which the Returning Officer may receive nomination papers will expire; and
- (e) the date on which, the time during which and the place at which the Returning Officer will attend to receive nomination papers; and in cases where a poll is taken, the date and hour on and at which the period during which the Returning Officer may receive completed ballot papers will expire and the date and hour on and at which the counting of votes will commence.

- 17.3 The expiration of the time for receiving nominations shall be not less than twenty-one days and not more than twenty-eight days after the first date on which publication of the notice provided for in paragraph 17.1 occurs.

18 Nomination of Candidates

- 18.1 A person shall not be nominated as a candidate for election or have his or her nomination withdrawn without the consent of that person.
- 18.2 A candidate for election shall be nominated in writing by way of a nomination paper in the form specified in the First Schedule to these Rules, signed by not less than three Registered Nurses whose names are entered on the Panel of the Electoral Roll which includes the category for which the candidate is nominated. A duly completed nomination paper shall, together with completed consent form in the form set out in the Second Schedule to these Rules, be receivable by the Returning Officer only within the period between the date the public notice is published pursuant to Rule 17 and the expiration of the time for receiving nominations.
- 18.3 A person shall not be entitled to have his or her name entered on a ballot paper unless he or she has been duly nominated and the nomination has been ruled as being valid by the Returning Officer.
- 18.4 Each candidate shall be nominated by a separate nomination paper and any Elector may sign more than one nomination paper.
- 18.5 The Returning Officer for the purpose of determining the validity of a nomination for election, may require the candidate to give him/her such relevant information relating to his or her nursing practice as the Returning Officer requires and may require him or her to furnish appropriate evidence in relation to the information so given.
- 18.6 Failure by a candidate to give information requested under Rule 18.5 or to provide evidence required for the purpose of that paragraph may be regarded by the Returning Officer as grounds for ruling a nomination invalid.

19 Times for receiving completed nominations

- 19.1 The Returning Officer shall on the last date for receiving nominations attend to receive nominations between the hours of 10.00 a.m. and 1.00 p.m. at the place appointed by him/her for receiving nomination papers. Every nomination paper delivered to the Returning Officer at any time before the commencement of the hours aforesaid shall be retained by the Returning Officer and produced by him/her at the commencement of the hours aforesaid and shall be deemed to have been delivered to him/her at the beginning of those hours.

20 Ruling on the validity of nomination papers

- 20.1 The Returning Officer shall rule on the validity of the nomination papers received by him/her.
- 20.2 A person proposed for nomination and the agent representing that person shall be entitled to attend while the validity of nominations at the election is being ruled on by the Returning Officer and no other person shall be entitled so to attend except with the permission of the Returning Officer.
- 20.3 Each candidate shall be described in the nomination paper in such a manner as in the opinion of the Returning Officer is calculated sufficiently to identify such candidate. The surname of the candidate shall be placed first in the statement of names and the address in the State at which he or she resides and the address at which he or she practices shall be stated in the nomination paper.
- 20.4 A misnomer or inaccurate description of any person or place named in any nomination paper shall not invalidate such paper if in the opinion of the Returning Officer the description is sufficient to identify such person or place.
- 20.5 No objection to a nomination paper on the ground of any description of the candidate therein not being sufficient or not being in compliance with these Rules shall be allowed or deemed valid unless such objection is made to the Returning Officer by a candidate or agent of the candidate during the time for receiving nominations.
- 20.6 A candidate may before the expiration of the time for receiving nominations withdraw his or her candidature by giving to the Returning Officer a notice in writing to that effect, signed by the candidate.

21 Death of a Candidate

- 21.1 The death of a candidate standing nominated at the election shall not invalidate the nomination of such candidate or any preference recorded for him or her and, if such candidate is elected, his or her election shall not be invalidated by reason of his or her death, but such candidate shall be deemed to have vacated his or her membership of An Bord Altranais on the day on which the newly elected members come into office and the vacancy shall be deemed to be a casual vacancy and shall be filled accordingly.

22 Publication of nominations

- 22.1 The Returning Officer shall, after he/she has ruled on the nomination papers, cause a notice to be displayed in the office of An Bord Altranais stating the names and descriptions of the candidates validly nominated for election and the names of the persons by whom each of the candidates was nominated.

23 Election of members

- 23.1 Where, at the expiration of the time for receiving nominations, in any category the number of duly nominated candidates does not exceed one, the Returning Officer shall thereupon declare such candidate to be elected. In the event of no nomination being made in any particular category, the filling of such vacancy shall be dealt with as a casual vacancy.
- 23.2 Where in any category the number of duly nominated candidates exceeds one, a poll shall be taken by the Returning Officer.

24 Date of Poll

- 24.1 The Returning Officer shall fix the date and hour on and at which the period during which he/she may receive votes shall expire and such date shall be not less than thirty-five days or more than forty-nine days after the expiration of the time for receiving nominations.

25 Notice of Poll

- 25.1 Whenever the Returning Officer is required to take a poll, he/she shall, as soon as is practicable, and in such manner as he/she considers appropriate, give notice of the taking of the poll, the place and times for the counting of the votes and any other particulars which he considers appropriate.

26 Ballot Papers

- 26.1 The Returning Officer shall prepare ballot papers for each category in which a poll is to be taken which shall be in the form set out in the Third Schedule to these Rules, setting out the names of the candidates alphabetically in the order of their surnames, or, if there are two or more candidates have the same surname, in the alphabetical order of their forenames.
- 26.2 Not less than twenty-one and not more than twenty-eight days after the expiration of the time for receiving nominations, the Returning Officer shall in respect of each poll send by post to every person entitled to vote in such poll:
- a ballot paper containing the names of the candidates duly nominated for the category which is the subject of the poll;
 - a declaration of identity in the form set out in the Fourth Schedule to these Rules;
 - a ballot paper envelope;
 - a covering envelope;
 - a statement of the provisions of Rule 28; and

— a statement of the closing date for receipt of completed ballot papers.

26.3 Where a person is entitled to receive more than one ballot paper, the Returning Officer shall not be required to post more than one declaration of identity and one covering envelope to each such person.

27 Ballot Box

27.1 The Returning Officer shall provide a ballot box or ballot boxes for the reception of the covering envelopes returned by the voters.

27.2 Every such ballot box shall be sealed by the Returning Officer at the time fixed for the opening of the poll.

27.3 The Returning Officer, on the expiration of the time during which he/she may receive votes, shall close the ballot box or ballot boxes.

28 Procedure for voting

28.1 Each voter shall mark a ballot paper so as to indicate his or her first and any subsequent preferences against the names of the person or persons for whom he or she desires to vote and shall place the ballot paper(s) (folded face inwards) in the ballot paper envelope and securely fasten the same. The voter shall sign in the presence of a witness the declaration printed on the identification declaration form, have it duly witnessed and signed by the witness, place it with the ballot paper envelope inside the covering envelope and send it by post or otherwise to the Returning Officer.

29 Time and place for the counting of votes

29.1 The counting of votes shall commence on the expiry of the period during which the Returning Officer may receive completed ballot papers or at a time not later than forty-eight hours after such expiry, as may be fixed by the Returning Officer.

29.2 The Returning Officer shall appoint a place at which the votes will be counted.

30 Attendance at the counting of votes

30.1 At the counting of votes no person other than a candidate, the Returning Officer's assistants or the agents of the candidates duly appointed under these Rules may be present, except with the permission of the Returning Officer.

30.2 The Returning Officer shall give candidates and agents of candidates present all such reasonable facilities for observing the proceedings at the counting of the votes (including in particular facilities for satisfying themselves that the ballot papers are correctly sorted) and all such information

with respect thereto as is consistent with the orderly conduct of the proceedings.

31 Preliminary proceedings

- 31.1 The Returning Officer shall, at the time fixed for counting the votes, open the ballot box or ballot boxes, remove and open the covering envelopes and examine the identification declaration forms therein. Where the identification declaration form is found to be valid the ballot paper envelope shall be opened, the ballot paper(s) withdrawn, kept folded face inwards and placed in special receptacles provided by the Returning Officer for ballot papers.
- 31.2 Where the Returning Officer is not satisfied that the identification declaration form has been duly signed or the signature duly witnessed, or where a ballot paper envelope is not accompanied by an identification declaration form, he/she shall endorse the ballot paper envelope "vote rejected" without opening such envelope.
- 31.3 Any ballot paper envelope not containing a ballot paper shall be marked "rejected" by the Returning Officer.
- 31.4 The Returning Officer shall show to the candidates or agents present any identification declaration form which he/she proposes to reject on the ground that it has not been properly signed and witnessed and, if any objection is made to his/her decision by any candidate or agent, shall add to the endorsement the words "rejection objected to".
- 31.5 The Returning Officer shall keep all rejected identification declaration forms with the attached ballot paper envelopes or ballot papers, as the case may be, separate from other documents.

32 Times for the counting of votes

- 32.1 The Returning Officer shall, as far as is practicable at the election, proceed with the counting of the votes but excluding such hours as he/she shall decide. During the time which may be so excluded the Returning Officer shall take due precautions for the security of the ballot papers and other documents relating to the poll(s).

33 Conduct of the counting of votes

- 33.1 The Returning Officer shall for each poll cause the ballot papers to be scrutinized for the purpose of discovering any papers liable to be rejected as invalid and shall, in accordance with the directions contained in the Fifth Schedule to these Rules, ascertain and record the number of votes given to each candidate.
- 33.2 In counting the votes for each poll the Returning Officer shall credit the candidates at the election with votes in accordance with the directions contained in the Fifth Schedule to these Rules.

34 Return of persons elected

34.1 The Returning Officer shall forthwith give to every person elected written notice of his or her election and shall furnish An Bord Altranais with a list of the persons certified by him/her to have been duly elected in each category.

35 Powers of Returning Officer

35.1 Any question arising with regard to the validity of a nomination or ballot paper, or otherwise in connection with an election held under these Rules, shall be determined by the Returning Officer.

36 General provision

36.1 The election shall not be invalidated by reason of any misdescription or non-compliance with the provisions of these Rules or by reason of any miscount or of the non-delivery, loss or miscarriage in the course of post of any document required under these Rules to be dispatched by post, if it appears to the Returning Officer that the election was conducted substantially in accordance with the provisions of these Rules, and the result of such misdescription, non-compliance, miscount, non-delivery, loss or miscarriage did not materially affect the result of the election.

36.2 All voting papers received by the Returning Officer shall be retained by him/her for not less than twelve months after the completion of the election.

FIRST SCHEDULE

ELECTION OF MEMBERS TO AN BORD ALTRANAIS

NOMINATION PAPER

We, the undersigned, being registered nurses whose names are entered on Panel (see Note 1) of the Electoral Roll hereby nominate for election to An Bord Altranais under Category (See Note 2) the registered nurse named hereunder.

Surname

Forenames

Address of Permanent Residence in the State

.....

Qualifications(s) and Registration Number(s)

.....

.....

.....

Employment(s), place(s) of employment, and period(s) of employment during the period of twelve months terminating on

.....

.....

	Name	Address	Qual.	Reg. No.
(1)				
(2)				
(3)				

Note 1

In the space marked “(See Note 1)” the nominators must indicate the name of the relevant Panel of the Electoral Roll which should be—

- A — General (includes Divisions other than B, C, D, and E) or
- B — Psychiatric or
- C — Midwifery or
- D — Intellectual Disability or
- E — Public Health

Note 2 (a) Where the relevant panel is A (General), the nominators must indicate in the space marked “(See Note 2)” the name of the category for which their candidate is being proposed, which should be—

Category (i) Teacher (General Nursing) or
 Category (ii) Administrator or
 Category (iii) Practicing as Clinical Nurse Manager, or
 Category (iv) Practicing below Clinical Nurse Manager level or
 Category (v) Teacher (Children’s Nursing).

(b) Where the relevant panel is B (Psychiatric), the nominators must indicate in the space marked “(See Note 2)” the name of the category for which their candidate is being proposed which should be—

Category (i) Teacher or
 Category (ii) Administrator or
 Category (iii) Practicing as Clinical Nurse Manager or equivalent or
 Category (iv) Practicing below Clinical Nurse Manager or equivalent level.

(c) Where the relevant panel is C (Midwifery), the nominators must indicate in the space marked “(See Note 2)” the name of the category for which their candidate is being proposed which should be—

Category (i) Teacher or
 Category (ii) Administrator or
 Category (iii) Practicing at or below Clinical Midwife Manager or equivalent level.

(d) Where the relevant panel is D (Intellectual Disability), the nominators must indicate in the space marked “(See Note 2)” the name of the category for which their candidate is being proposed which should be—

Category (i) Teacher or
 Category (ii) Administrator or
 Category (iii) Practicing at or below Clinical Nurse Manager or equivalent level.

(e) Where the relevant panel is E (Public Health), the nominators must indicate in the space marked “(See Note 2)” the name of the category for which their candidate is being proposed, which should be either—

Category (i) Administrator (Director of Public Health Nursing) or
 Category (ii) Practicing below the level of Director of Public Health Nursing.

SECOND SCHEDULE

ELECTION OF MEMBERS TO AN BORD ALTRANAIS

Form of Consent

I consent to be nominated for election to An Bord Altranais

Signed:

Date:

Address:

.....

.....

Personal Identification Number (PIN):

THIRD SCHEDULE**ELECTION OF MEMBERS TO AN BORD ALTRANAIS****BALLOT PAPER****CATEGORY—**

Mark order of preference in space below	Name of Candidate	Practice Address	Title of post held

Instructions

1. Enter the figure “1” beside the candidate of your first choice, “2” beside your second choice and so on in order of preference against the name or names of the persons for whom you desire to vote.
2. Fold the ballot paper so as to conceal your vote and put it in the ballot paper envelope; then place the ballot paper envelope and declaration of identity duly signed and witnessed in the covering envelope and send to the Returning Officer.

FOURTH SCHEDULE

ELECTION OF MEMBERS TO AN BORD ALTRANAIS

Declaration of Identity

I, the undersigned, hereby declare that I am the person entitled to receive the enclosed ballot paper(s) and that I have not marked any other ballot paper(s) in the poll for this

Category

Signed:

Voter's Name

(Block Capitals):

Date:

The above-named is personally known to me and has signed the above declaration in my presence.

Witness's signature:

Witness's Name

(Block Capitals):

Address:

Occupation:

FIFTH SCHEDULE

ELECTION OF MEMBERS TO AN BORD ALTRANAIS

COUNTING VOTES

1. Definitions

In this schedule—

“continuing candidate” means any candidate not excluded;

“count” includes:—

- (a) all the operations involved in the counting of the first preferences recorded for candidates; and
- (b) all the operations involved in the transfer of the votes of an excluded candidate;

“determine by lot” means determined in accordance with the following directions, namely, the names of the candidates concerned having been written on similar slips of paper, and the slips having been folded so as to prevent identification and mixed and drawn at random, the candidate or candidates shall in cases of exclusion be excluded in the order in which their names are drawn;

“mark” means a figure, a word or a similar mark;

“non-transferable paper” means a ballot paper on which no second or subsequent preference is recorded for a continuing candidate; provided that a paper shall be deemed to have become a non-transferable paper whenever:—

- (a) the names of two or more candidates (whether continuing candidates or not) are marked with marks which, in the opinion of the Returning Officer, indicate the same order of preference and are next in order of preference, or
- (b) the name of the candidate next in order of preference (whether a continuing candidate or not) is marked with a mark which, in the opinion of the Returning Officer, does not follow consecutively after some other mark on the ballot paper, or with two or more marks, or
- (c) it is void for uncertainty;

“original vote” in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for that candidate;

“preference” shall be interpreted as follows:—

- (a) “first preference” means any mark which, in the opinion of the Returning Officer, clearly indicates a first preference;

“second preference” means any mark which, in the opinion of the Returning Officer, clearly indicates a second preference standing in succession to a first preference;

“third preference” means any mark which, in the opinion of the Returning Officer, clearly indicates a third preference standing in succession to a second preference; and so on;

- (b) “next available preference” means a preference which, in the opinion of the Returning Officer, is a second or subsequent preference recorded in consecutive order for a continuing candidate, the preferences next in order on the ballot paper for candidates already excluded being ignored;

“transferable paper” means a ballot paper on which, following a first preference, a second or subsequent preference is recorded in consecutive numerical order for a continuing candidate;

“transferable vote” in regard to any candidate, means a vote derived from a ballot paper on which a second or subsequent preference is recorded for that candidate.

2. Invalid ballot papers

(1) Any ballot paper:—

- (a) on which the figure 1 standing alone is not placed at all or is not so placed as to indicate a first preference for some candidate, or
- (b) on which the figure 1 standing alone indicating a first preference is set opposite the name of more than one candidate, or
- (c) on which anything is written or marked whereby the voter may be identified, or
- (d) which is unmarked or, if marked, is so marked as to cause uncertainty as to the identity of the candidate for whom the voter desires to record a first preference, or
- (e) on which anything extraneous to the purpose of the election is written or marked or which is in any way defiled or defaced by comment or mark, shall be invalid and not counted, but the ballot paper shall not be invalid by reason only of carrying the words “one”, “two”, “three” (and so on) or any other mark which, in the opinion of the Returning Officer, clearly indicates a preference or preferences.

- (2) The Returning Officer shall endorse “Rejected” on any ballot paper which under this section is not to be counted. The Returning Officer shall not prepare a statement showing the number of ballot papers rejected by him under each of the sub-paragraphs (a), (b), (c), (d) and (e) of the preceding paragraph and shall, on request, allow any candidate or agent of a candidate to copy such statement.

3 First count

- (1) The Returning Officer shall arrange the valid ballot papers in parcels according to the first preferences recorded for each candidate.
- (2) The Returning Officer shall then count the number of ballot papers in each parcel and credit each candidate with a number of votes equal to the number of valid ballot papers on which a first preference has been recorded for such candidate and he shall ascertain the number of all valid ballot papers.

4 The quota

- (1) The Returning Officer shall then divide the number of all valid ballot papers by two. The result increased by one, any fractional remainder being disregarded, shall be the number of votes sufficient to secure the election of a candidate. This number is referred to in the Schedule as “the quota”.
- (2) Where at the end of any count the number of votes credited to a candidate is equal to or greater than the quota, that candidate shall be declared elected.

5 Exclusion of candidate

- (1) If at any time no candidate has reached the quota the Returning Officer shall exclude the candidate or candidates credited with the lowest number of votes and shall examine all the ballot papers of that candidate or candidates, and shall arrange the transferable ballot papers in sub-parcels according to the next available preferences recorded thereon for continuing candidates, and shall transfer each sub-parcel to the candidate for whom that preference is recorded and shall make a separate subparcel of the non-transferable ballot papers. The non-transferable ballot papers shall be set aside and not further taken into account and shall be labelled as non-transferable ballot papers not effective.
- (2) Where the total of the votes of the two or more lowest candidates is less than the number of votes credited to the next highest candidate, the Returning Officer may in one operation exclude such two or more lowest candidates.
- (3) If, when a candidate has to be excluded under this section, two or more candidates have each the same number of votes and are lowest,

regard shall be had to the number of original votes credited to each of those candidates and the candidate with the smallest number of original votes shall be excluded and where the numbers of original votes are equal, the Returning Officer shall determine by lot which shall be excluded.

6 Transfer of votes

Where a transfer of votes is made under Section 5 of this Schedule, each subparcel of papers transferred shall be placed on top of the parcel, if any, of papers of the candidate to whom the transfer is made, and that candidate shall be credited with a number of votes equal to the number of papers so transferred.

7 Filling of vacancy without reaching quota

Where there is only one continuing candidate after the other candidates have been excluded and that continuing candidate has not reached the quota he or she shall be declared elected without having reached the quota.

8 Recount

- (1) Any candidate or agent may, at the conclusion of any count, request the Returning Officer to re-examine and recount all or any of the papers dealt with during that count and the Returning Officer shall forthwith re-examine and recount such papers accordingly. The Returning Officer may also at his discretion recount papers either once or more often in any case in which he is not satisfied as to the accuracy of any count; but nothing herein shall make it obligatory on the Returning Officer to recount the same parcel of papers more than once.
- (2) The power under the foregoing paragraph of the Returning Officer to recount at his discretion papers in any case in which he is not satisfied as to the accuracy of any count shall extend to papers dealt with at an earlier count than the immediately preceding one.
- (3) As respects each candidate, one request (and not more) may be made by a candidate or by his or her agent for a complete re-examination and recount of all parcels of ballot papers, and the Returning Officer shall forthwith re-examine and recount the parcels of ballot papers accordingly. Nothing in the foregoing provisions of this sections shall make it obligatory on the Returning Officer to re-examine or recount the same parcel of papers more than once, but if an error is discovered which is, in the opinion of the Returning Officer, a significant error likely to affect the result of the election, the Returning Officer shall count all the papers afresh from the point at which the error occurred.
- (4) Where an error is discovered, the Returning Officer shall, where necessary, amend any results previously announced by him/her.

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9 Declaration of the result of the poll

On the completion of the counting of the votes the Returning Officer shall determine and declare the result of the poll.

10 Decisions of Returning Officer

The decision of the Returning Officer, whether expressed or implied by his/her acts, on any question which arises at a count in relation to the exclusion of any candidate under Section 5 of this Schedule or to any ballot paper or transfer of votes shall be final.

Schedule A of Rule 9

- (a) Each educational institution or hospital must submit to An Bord Altranais a curriculum for approval by a committee appointed by An Bord Altranais for that purpose. This curriculum must, inter alia, specify the structure, process and outcome of the programme, methods of assessment, examination, teaching strategies and appeals systems. Proposed sites for clinical placements must also be submitted for approval.
- (b) Annual reports on the delivery of programmes, in the format specified in the appropriate requirements and standards document, will be submitted to An Bord Altranais by the educational institution and hospital.
- (c) An Bord Altranais will review programmes approved by it at least every five years.
- (d) Each educational institution and hospital must demonstrate quality assurance activities and outcomes aimed at ensuring continuing support for and development of their curriculum and for the development of environments approved for clinical placements.

Schedule B of Rule 10

- (a) Each educational institution or hospital must submit to An Bord Altranais a curriculum for approval by a committee appointed by An Bord Altranais for that purpose. This curriculum must, inter alia, specify the structure, process and outcome of the programme, methods of assessment, examination, teaching strategies and appeals systems. Proposed sites for clinical placements must also be submitted for approval.
- (b) Annual reports on the delivery of programmes, in the format specified in the appropriate requirements and standards document, will be submitted to An Bord Altranais by the educational institution and hospital.
- (c) An Bord Altranais will review programmes approved by it at least every five years.
- (d) Each educational institution and hospital must demonstrate quality assurance activities and outcomes aimed at ensuring continuing support for and development of their curriculum and for the development of environments approved for clinical placements.



GIVEN under the Seal of An Bord Altranais,
21 May 2010

A. CARRIGY,
President.
E. DONOGHUE,
Chief Executive Officer.

The Minister for Health and Children in exercise of the powers conferred on her by Section 26 of the Nurses Act, 1985, approves of the making of the above rules.

GIVEN under the Official Seal of the Minister for Health and
Children,
21 May 2010.

MARY HARNEY,
Minister for Health and Children.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

An Bord Altranais is the regulatory body for the nursing profession.

Among its main functions are:

- the establishment and maintenance of a register of nurses and midwives;
- provision for the education and training of nurses/midwives and student nurses/midwives;
- approval of healthcare and educational institutions for education purposes;
- the accreditation of posts.

The Rules as signed by the Minister for Health and Children set out the criteria in relation to the requirements for registration and post registration of nurses and midwives, the establishment and maintenance of the different registers, approval of the education and training programmes leading to the registration of nurses and midwives including approval of curricula, the approval of healthcare and educational institutes to deliver the education programmes, the minimum requirements for applicants entering an education programme and the accreditation of advanced nurse/midwife practitioners.

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