L.N. 45 of 1982

DEPARTMENT OF HEALTH (CONSTITUTION) ORDINANCE (CAP. 148)

Nursing and Midwifery Board (Election) Regulations, 1982

IN exercise of the powers conferred by paragraph 5 of the Second Schedule to the Department of Health (Constitution) Ordinance, the Nursing and Midwifery Board, with the approval of the Minister of Health, has made the following regulations:

Citation.

1. These regulations may be cited as the Nursing and Midwifery Board (Election) Regulations, 1982.

Interpretation.

2. In these regulations, unless the context otherwise requires:

"Board" means the Nursing and Midwifery Board established by section 28D of the Ordinance;

"Chairman" means the Chairman of the Board;

"the Commission" means the Nursing and Midwifery Board Election Commission established by regulation 3 of these regulations;

"Ordinance" means the Department of Health (Constitution) Ordinance;

"the Registrar" means the Registrar of the Board.

Nursing and Midwifery Board Election Commission.

3. In January of every year the Board shall appoint a Commission, to be called the Nursing and Midwifery Board Election Commission, composed of four election commissioners, of whom one shall be a person whose name is entered in the Register of Nurses, one shall be a midwife and one shall be a person whose name is entered in the Roll of Nurses, to conduct elections to the Board during that year:

Provided that, for the year 1982, such Commission shall be appointed by the Board as soon as may be after the coming into operation of these regulations.

Period of nomination.

4. Where the Commission is informed by the Chairman that a vacancy occurs amongst the elected members of the Board, it shall, as soon as may be, cause a notice to be published in the Gazette and in all daily local newspapers specifying the place, days and times during which nominations of candidates for election to the Board will be received by the Registrar.

Nominations.

5. A candidate shall be nominated in writing on a form in accordance with the specimen contained in the First Schedule to these regulations. Whatever the number of vacancies to be filled, no person shall be nominated to fill more than one vacancy.

Notification of election.

6. If the nominations received exceed the number of vacancies on the Board, an election shall be held. The Commission shall then, as soon as may be, publish a notice in the Gazette specifying the place, the days and times during which the voting shall take place and the names of the candidates seeking election.

Ballot papers.

7. The ballot paper to be used for the purpose of the election shall be in accordance with the specimen contained in the Second Sche-

dule to these regulations, and shall be initialled by two of the members of the Commission present at the place of voting.

Place of voting.

8. Any voter, independently of his place of residence, may vote either in Malta or in Gozo.

Ballot box, etc.

9. (1) The appropriate ballot paper shall be delivered to voters personally by one of the Election Commissioners in the room in which the ballot box is placed, and in no case shall any person be permitted to take any ballot paper out of such room nor shall any ballot paper be taken out of the sight of the Election Commissioner until it is dropped in the ballot box. No individual, other than the person voting and the Election Commissioners, shall be allowed in the ballot room.

Act LI of 1975

(2) Before delivering the ballot paper, the Election Commissioners may require a voter to present a valid identity card issued under and in accordance with the Identity Card Act, 1975.

Manner of voting.

10. (1) A voter shall record his vote in secret by means of one cross placed against the name of each candidate for whom he votes.

(2) Where a voter votes for a larger number of candidates than is required in the ballot paper, the ballot paper shall be declared invalid by the Commission.

Record of voters.

11. The Commission shall keep a record of the persons who vote.

No voting after closing time.

12. No voting shall take place after the expiration of the time fixed by the Commission for the voting except by persons who are present for voting at the expiration of such time.

Counting of votes.

13. (1) As soon as may be after the end of the voting the Commission shall count the votes cast.

(2) Every candidate, or a person authorised by him in writing, shall have a right to be present at the closing and opening of the ballot boxes and may affix his personal seal on each ballot box and also have the right to be present, and to follow, the counting of the votes.

Elected candidates.

14. (1) The candidate obtaining the largest number of votes in any category of candidates shall be elected.

(2) Where two vacancies are to be filled in any category, the candidate obtaining the next highest number of votes shall also be elected.

Partial elections.

15. If two or more candidates obtain an equal number of votes in any category, but not all of such candidates are to be declared elected, a partial election amongst those candidates shall be held in accordance with the provisions of regulations 6 to 14 of these regulations.

Election results.

16. The Commission shall forthwith report in writing the result of the election to the Registrar who shall forward it to the Minister responsible for health for publication in the Gazette.

Commission's decision to be final.

17. The decision of the Commission on the validity of any nomination, the right of any person to vote or to stand for election, the validity of ballot papers, and on the result of the elections shall be final and conclusive.

FIRST SCHEDULE

(Regulation 5)

Nomination Form for Candidates for Election to the Nursing and Midwifery Board

We, the undersigned, being voters entitled to vote at an election of the Nursing and Midwifery Board for:—

(*) (a) Registered Nurses to be elected in accordance with the provisions of paragraph (a) of subsection (3) of section 28D of the Department of Health (Constitution) Ordinance

(*) (b) Midwives to be elected in accordance with the provisions of paragraph (b) of subsection (3) of section 28D of the Department of Health (Constitution) Ordinance

(*) (c) Enrolled Nurses to be elected in accordance with the provisions of paragraph (c) of subsection (3) of section 28D of the Department of Health (Constitution) Ordinance

do hereby nominate ..... (**)

* registered/enrolled in the ..... (**)
(Register/Roll) (*)

and whose address is ..... (**)
as a candidate for the said election.

Proposer: Name ..... (**)

Signature ..... Date .....

* Registered/enrolled in the .....

Seconder: Name ..... (**)

Signature ..... Date .....

* Registered/enrolled in the .....

DECLARATION BY PERSON NOMINATED

I, ..., whose name appears on
(full name in block letters)

the ..... accept the above nomination.
(Register/Roll) (*)

Date ....
Candidate's signature

(*) Delete words which do not apply
(**) In block letters

SECOND SCHEDULE

(Regulation 7)

Ballot Paper

FOR USE BY .....

VOTING FOR ELECTION OF A CANDIDATE TO THE NURSING AND MIDWIFERY BOARD

(In terms of paragraph ( ) of subsection (3) of section 28D of the Department of Health (Constitution) Ordinance, Cap. 148).

Names of Candidates (in alphabetical order)	Place a cross in this part against the name of the candidate for whom you wish to vote
.....	.....
.....	.....
.....	.....
.....	.....

YOU ARE TO VOTE FOR NOT MORE THAN ..... CANDIDATE(S)

Initials of Election Commissioners .....

.....

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