



Nurses, Midwives and Health Visitors Act 1979

1979 CHAPTER 36

An Act to establish a Central Council for Nursing, Midwifery and Health Visiting, and National Boards for the four parts of the United Kingdom; to make new provision with respect to the education, training, regulation and discipline of nurses, midwives and health visitors and the maintenance of a single professional register; to amend an Act relating to the Central Council for Education and Training in Social Work; and for purposes connected with those matters. [4th April 1979]

Annotations:

Amendments (Textual)

F1 Act repealed (except ss. 23(4), 24, Sch. 7) (19.6.1997) by [1997 c. 24, ss. 23\(3\), 24\(2\)](#), [Sch. 6](#)

Commencement Information

II Act partly in force at Royal Assent see [s. 24\(2\)](#); Act wholly in force 1 July 1983

The Central Council

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The National Boards and their relationship to the Central Council

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Registration

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Miscellaneous provisions about midwifery

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Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Nurses, Midwives and Health Visitors Act 1979. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Financial provisions

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Miscellaneous and general

21

22

22A

22B

^{F65}23 Interpretation and supplementary.

(1)

(2)

(3)

(4) The enactments specified in Schedule 7 are amended as there specified

(5)

Annotations:

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Amendments (Textual)

F65 Act repealed (except ss. 23(4), 24, Sch. 7) (19.6.1997) by 1997 c. 24, ss. 23(3), 24(2), **Sch. 7**

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Modifications etc. (not altering text)

C1 The text of s. 23(4)(5), Sch. 1 Pt.II para. 5, Sch. 2 Pt. II para. 5, Sch. 7, Sch. 8 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1. 2. 1991.

24 Citation, etc.

(1) This Act may be cited as the Nurses, Midwives and Health Visitors Act 1979.

(2) This Act, except section 21(2) and this section (which shall come into force on the passing of this Act), shall come into force on such day as the Secretary of State may by order appoint; and different days may be appointed for different provisions of this Act.

(3) This Act extends to Northern Ireland.

Annotations:

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Modifications etc. (not altering text)

C2 **S. 24(2):** power of appointment conferred by section 24(2) fully exercised: **S.I. 1980/893**; 1982/963, 1565; 1983/668

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Nurses, Midwives and Health Visitors Act 1979. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

^{F66}SCHEDULE 1

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SCHEDULE 2

Section 5.

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SCHEDULE 3

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SCHEDULE 4

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SCHEDULE 5

Section 21.

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SCHEDULE 6

Section 23(3).

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SCHEDULE 7

Section 23(4)

AMENDMENTS OF ENACTMENTS

Annotations:**Modifications etc. (not altering text)**

- C7** The text of s. 23(4)(5), Sch. 1 Pt. II para. 5, Sch. 2 Pt. II para. 5, Sch. 7, Sch. 8 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1. 2. 1991.

Nursing Homes Registration (Scotland) Act 1938 (c. 73)

- [^{F91} In section 1(3)(d) of the Nursing Homes Registration (Scotland) Act 1938, for “certified” substitute “registered” . . . ^{F92}]

Annotations:**Amendments (Textual)**

- F91** Sch. 7 paras. 1-6 repealed (S.) (1.4.2002) by 2001 asp 8, s. 80(1), Sch. 4; S.S.I. 2002/162, art. 2 (subject to arts. 3-13)
- F92** Words repealed by Health Services Act 1980 (c. 53, SIF 113:2), s. 25(4), Sch. 7

- 2 ^{F93}

Annotations:**Amendments (Textual)**

- F93** Sch. 7 paras. 2, 3(b) 24, 25 repealed by Health Services Act 1980 (c.53, SIF 113:2), s. 25(4), Sch. 7; and Sch. 7 para. 2 expressed to be repealed (S.) (1.4.2002) by 2001 asp 8, s. 80(1), Sch. 4; S.S.I. 2002/162, art. 2 (subject to arts. 3-13)

- [^{F94} In section 10—
(a) omit the definitions of “qualified nurse” and “certified midwife” ;
(b) ^{F95}]

Annotations:**Amendments (Textual)**

- F94** Sch. 7 paras. 1-6 repealed (S.) (1.4.2002) by 2001 asp 8, s. 80(1), Sch. 4; S.S.I. 2002/162, art. 2 (subject to arts. 3-13)
- F95** Sch. 7 paras. 2, 3(b) 24, 25 repealed by Health Services Act 1980 (c.53, SIF 113:2), s. 25(4), Sch. 7

Nurses (Scotland) Act 1951 (c.55)

- [^{F96} In section 27 of the Nurses (Scotland) Act 1951—
(a) in subsection (1), for paragraphs (a) to (c) substitute—
“(a) registered nurses and registered midwives; and” and make paragraph (d) into paragraph (b);

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- (b) in subsection (3) for “registered nurse” substitute “registered and qualified nurse”.]

Annotations:

Amendments (Textual)

- F96** Sch. 7 paras. 1-6 repealed (S.) (1.4.2002) by 2001 asp 8, s. 80(1), Sch. 4; S.S.I. 2002/162, art. 2 (subject to arts. 3-13)

- [^{F975} In section 29 for “registered nurse” substitute “registered and qualified nurse”.]

Annotations:

Amendments (Textual)

- F97** Sch. 7 paras. 1-6 repealed (S.) (1.4.2002) by 2001 asp 8, s. 80(1), Sch. 4; S.S.I. 2002/162, art. 2 (subject to arts. 3-13)

- [^{F986} In section 32, omit the definition of “certified midwife”.]

Annotations:

Amendments (Textual)

- F98** Sch. 7 paras. 1-6 repealed (S.) (1.4.2002) by 2001 asp 8, s. 80(1), Sch. 4; S.S.I. 2002/162, art. 2 (subject to arts. 3-13)

Births and Deaths Registration Act 1953 (c. 20)

- [^{F996A} In section 33—
(a) in section (5) omit the words from the beginning to “this section and” and for the word “him” substitute “the Secretary of State”; and
(b) in subsection (6) omit the words from the beginning to “is exercised and”.]

Annotations:

Amendments (Textual)

- F99** Sch. 7 para. 6A inserted (E.W.S.) by Health Services Act 1980 (c. 53, SIF 113:2), s. 25(3), Sch. 6 para. 11(1)

- 7 In section 11(1) and (1A) of the Births and Deaths Registration Act 1953, for “certified midwife” substitute “registered midwife”.

Nurses Agencies Act 1957 (c.16)

- [^{F1008} In section 1 of the Nurses Agencies Act 1957—
(a) in subsection (1), for paragraphs (a) to (c) substitute—
“(a) registered nurses and registered midwives; and” and make paragraph (d) into paragraph (b);
(b) in subsection (3), for “registered nurse” substitute “registered and qualified nurse”.]

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Annotations:

Amendments (Textual)

F100 Sch. 7 paras. 8-10 repealed (1.1.2003 for E. and otherwise *prosp.*) by 2000 c. 14, ss. 117(2), 122, Sch. 6; S.I. 2001/4150, art. 3(4) (subject to transitional provisions in art. 4 and S.I. 2002/1493, art. 4 and as amended (31.5.2002) by S.I. 2002/1790, art. 3); as amended (29.7.2002) by S.I. 2002/2001, art. 4

[^{F101}9 In section 3(2), for “registered nurse” substitute “registered and qualified nurse”.]

Annotations:

Amendments (Textual)

F101 Sch. 7 paras. 8-10 repealed (1.1.2003 for E. and otherwise *prosp.*) by 2000 c. 14, ss. 117(2), 122, Sch. 6; S.I. 2001/4150, art. 3(4) (subject to transitional provisions in art. 4 and S.I. 2002/1493, art. 4 and as amended (31.5.2002) by S.I. 2002/1790, art. 3); as amended (29.7.2002) by S.I. 2002/2001, arts. 2(3), 3

[^{F102}10 In section 8, omit the definitions of “certified midwife” “enrolled nurse” and “registered nurse”, and the word “and” immediately preceding the latter.]

Annotations:

Amendments (Textual)

F102 Sch. 7 paras. 8-10 repealed (1.1.2003 for E. and otherwise *prosp.*) by 2000 c. 14, ss. 117(2), 122, Sch. 6; S.I. 2001/4150, art. 3(4) (subject to transitional provisions in art. 4 and S.I. 2002/1493, art. 4 and as amended (31.5.2002) by S.I. 2002/1790, art. 3); as amended (29.7.2002) by S.I. 2002/2001, arts. 2(3), 3

Health Visiting and Social Work (Training) Act 1962 (c. 33)

[^{F103}11 In paragraph 4 of Schedule 1 to the Health Visiting and Social Work (Training) Act 1962, for “General Nursing Council for England and Wales” substitute “United Kingdom Central Council for Nursing, Midwifery and Health Visiting”.]

Annotations:

Amendments (Textual)

F103 Sch. 7 para. 11 repealed (E.W.S.) by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 30, Sch. 10 Pt. I

Registration of Births, Deaths and Marriages (Scotland) Act 1965 (c.49)

12 In section 21(2) and (3) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965, for “certified midwife” substitute “registered midwife”.

13 Omit section 21(6)

Medicines Act 1968 (c. 67)

14 In section 11 of the Medicines Act 1968—

- (a) in subsection (1) for “a registered nurse or as a certified midwife” substitute “a registered and qualified nurse or a registered midwife”;

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(b) omit subsection (2).

Commissioner for Complaints Act (Northern Ireland) 1969 (c. 25 N.I.)

F104 15

Annotations:

Amendments (Textual)

F104 Sch. 7 para. 15 repealed (16.7.1996) by S.I. 1996/1297, art. 23(2), Sch. 5

Nursing Homes and Nursing Agencies Act (Northern Ireland) 1971 (c.32 N.I.)

F105 16

Annotations:

Amendments (Textual)

F105 Sch. 7 paras. 16-18 repealed (1. 4. 1993) by S.I. 1992/3204 (N.I. 20), art. 38, Sch. 2; S.R. 1993/75, art.2

F106 17

Annotations:

Amendments (Textual)

F106 Sch. 7 paras. 16-18 repealed (1. 4. 1993) by S.I. 1992/3204 (N.I. 20), art. 38, Sch.2; S.R. 1993/75, art.2

F107 18

Annotations:

Amendments (Textual)

F107 Sch. 7 paras. 16-18 repealed (1. 4. 1993) by S.I. 1992/3204 (N.I. 20), art. 38, Sch.2; S.R. 1993/75, art.2

- 19 In section 11—
- (a) in subsection (1), for paragraphs (a) to (c) substitute—
 - “(a) registered nurses and registered midwives; and” and make paragraph (d) into paragraph (b);
 - (b) in subsection (3) for “registered nurse” substitute “registered and qualified nurse”.
- 20 In section 19 omit the definitions of “enrolled nurse” and “registered nurse”.
- 21 In section 20 omit the definitions of “the Act of 1970” and “midwife”.
- 22 In Schedule 1, omit the entry relating to the Nurses and Midwives Act (Northern Ireland) 1970.
- [F108] 23 In section 4(e) of the Nursing Homes Act 1975 for “certified” substitute “registered” and for “pupil midwife” substitute “student midwife”; and at the end of section 4 insert—

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“(2) In relation to any nursing home, a person is to be treated as a qualified nurse if he possesses such qualifications as the Secretary of State considers to be requisite in the provision of nursing care for patients in that home.”]

Annotations:

Amendments (Textual)

F108 Sch. 7 para. 23 repealed (E.W.) by [Registered Homes Act 1984 \(c.23, SIF 113:3\)](#), s. 57, **Sch. 3**

24 **F109**

Annotations:

Amendments (Textual)

F109 Sch. 7 paras. 2, 3(b) 24, 25 repealed by [Health Services Act 1980 \(c.53, SIF 113:2\)](#), s. 25(4), **Sch. 7**

25 **F110**

Annotations:

Amendments (Textual)

F110 Sch. 7 paras. 2, 3(b) 24, 25 repealed by [Health Services Act 1980 \(c.53, SIF 113:2\)](#), s. 25(4), **Sch. 7**

Sex Discrimination Act 1975 (c. 65)

26 In paragraph 3(1) of Schedule 4 to the Sex Discrimination Act 1975, for the words “the issue” to “section 20” substitute “registration as midwives under the Nurses, Midwives and Health Visitors Act 1979”.

Restrictive Trade Practices Act 1976 (c. 34)

27 In Schedule 1 to the Restrictive Trade Practices Act 1976, for paragraph 6 substitute —
“(6) The service of nurses.”

National Health Service Act 1977 (c.49)

28 In section 128(1) of the National Health Service Act 1977 omit the definition of “certified midwife” and “registered nurse”; and in Schedule 4, paragraph 1 (5) (c), for “certified” substitute “registered”

National Health Service (Scotland) Act 1978 (c. 29)

29 In section 108(1) of the National Health Service (Scotland) Act 1978, omit the definitions of “certified midwife” and “registered nurse”.

Interpretation Act 1978 (c. 30)

30 In Schedule 1 to the Interpretation Act 1978 (words and expressions defined) at the appropriate place in alphabetical order insert—

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““Registered” in relation to nurses, midwives and health visitors, means registered in the register maintained by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting by virtue of qualifications in nursing, midwifery or health visiting, as the case may be.”

Employment Protection (Consolidation) Act 1978 (c. 44)

31 In section 33(5) of the Employment Protection (Consolidation) Act 1978, for “certified midwife” substitute “registered midwife”; and in section 153(1) omit the definition of “certified midwife”.

32—33 F111

Annotations:

Amendments (Textual)

F111 Sch. 7 paras. 32, 33 repealed by Statute Law (Repeals) Act 1981 (c.19), s. 1(1), Sch. 1 Pt. IV

Health and Personal Social Services Order (Northern Ireland) 1972 (S.I. 1972/1265 (N.I.14))

34 In Article 17(1) of the Health and Personal Social Services Order (Northern Ireland) 1972, after sub-paragraph (c), insert—

“(d) provide such facilities and accommodation for persons training with a view to qualification for registration as nurses and midwives as the National Board for Nursing, Midwifery and Health Visiting for Northern Ireland may require in discharging functions under section 6(1)(a) of the Nurses, Midwives and Health Visitors Act 1979; .”

F112³⁵

Annotations:

Amendments (Textual)

F112 Sch. 7 para. 35 repealed (1.4.1994) by S.I. 1994/429, arts. 1(3), 7(3), Sch. 2

Births and Deaths Registration (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. 15))

36 In Article 2(2) of the Births and Deaths Registration (Northern Ireland) Order 1976 omit the definition of “midwife”; and in Article 15 for “midwife” substitute “registered midwife”.

Sex Discrimination (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. 15))

37 In paragraph 3(1) of Schedule 5 to the Sex Discrimination (Northern Ireland) Order 1976, for the words from “the issue” to “Article 22)” substitute “registration as midwives under the Nurses, Midwives and Health Visitors Act 1979”.

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Industrial Relations (No.2) (Northern Ireland) Order 1976 (S.I. 1976/2147 (N.I. 28))

[^{F113}38 In Article 15(4) of the Industrial Relations (No. 2) (Northern Ireland) Order 1976, for “ certified midwife” substitute “ registered midwife ”; and in Article 32 omit the definition of “ certified midwife”.]

Annotations:

Amendments (Textual)

F113 Sch. 7 para. 38 repealed (7.2.1994 except for specified purposes and 1.7.1994 otherwise) by S.I. 1993/2668 (N.I. 11), art. 18(4), **Sch.8**; S.R. 1993/476, art.2, **Sch.**; S.R. 1994/215, **art. 2(1)**

SCHEDULE 8

Section 23(5)

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Changes to legislation:

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Changes and effects yet to be applied to :

- Sch. 7 para. 19-22 repealed by [S.I. 2003/431 \(N.I.\) Sch. 5](#)

Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:

- Blanket amendment text amended by [S.I. 2011/1043 art. 3 4](#)
- Blanket amendment text amended by [S.I. 2011/1043 art. 3 6](#)
- Blanket Amendment words substituted by [2005 c. 4 Sch. 11 para. 5](#)

Commencement Orders yet to be applied to the Nurses, Midwives and Health Visitors Act 1979:

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2009/1604 art. 2](#) commences ([2005 c. 4](#))
- [S.R. 2005/44 art. 2](#) commences ([S.I. 2003/413 \(N.I.\)](#))