

## SCHEDULES

## SCHEDULE 7

Section 23(4).

## AMENDMENTS OF ENACTMENTS

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

- 1 In section 1(3)(d) of the Nursing Homes Registration (Scotland) Act 1938, for "certified" substitute " registered " and for "pupil midwife" substitute " student midwife " ; and after section 1(3) insert—

“(3A) 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.”

- 2 In section 5(1), for "qualified nurse" substitute " registered nurse " .

- 3 In section 10—

- (a) omit the definitions of " qualified nurse " and "certified midwife " ;
- (b) for the definition of " pupil midwife " substitute—

“" student midwife " means a person who is undergoing training with a view to becoming a registered midwife, and for that purpose attending women in childbirth, as part of a course of practical instruction in midwifery recognised by the National Board for Nursing, Midwifery and Health Visiting for Scotland " ;”.

*Nurses (Scotland) Act 1951 (c. 55)*

- 4 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) ;

- (b) in subsection (3), for " registered nurse " substitute " registered and qualified nurse " .

- 5 In section 29, for " registered nurse " substitute " registered and qualified nurse " .

- 6 In section 32, omit the definition of " certified midwife " .

*Births and Deaths Registration Act 1953 (c. 20)*

- 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)*

- 8 In section 1 of the Nurses Agencies Act 1957—

- (a) in subsection (1), for paragraphs (a) to (c) substitute—

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“(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 ".

9 In section 3(2), for " registered nurse " substitute " registered and qualified nurse ".

10 In section 8, omit the definitions of " certified midwife " , "enrolled nurse" and "registered nurse ", and the word "and" immediately preceding the latter.

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

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 ".

*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 " ;  
(b) omit subsection (2).

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

15 In Schedule 1 to the Commissioner for Complaints Act (Northern Ireland) 1969, in Part II insert the following entry at the appropriate point in alphabetical order—

“The National Board for Nursing, Midwifery and Health Visiting for Northern Ireland.”

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

16 In section 2(e) of the Nursing Homes and Nursing Agencies Act (Northern Ireland) 1971, before "midwife" insert " registered " and for " pupil midwife " substitute " student midwife " ; and at the end of section 2 insert—

“(2) In relation to any nursing home, a person is to be treated as a qualified nurse if he possesses such qualifications as the Department of Health and Social Services for Northern Ireland considers to be requisite in the provision of nursing care for patients in that home.”

17 In section 10(1)—

- (a) omit the definitions of " Joint Council " , " qualified nurse " , and " the register of nurses " ;  
(b) for the definition of " pupil midwife " substitute—  
“" student midwife " means a person who is undergoing training with a view to becoming a registered midwife, and for that purpose attending

women in childbirth, as part of a course of practical instruction in midwifery recognised by the National Board for Nursing, Midwifery and Health Visiting for Northern Ireland”.

18 Omit section 10(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 Mid-wives Act (Northern Ireland) 1970.

#### *Nursing Homes Act 1975 (c. 37)*

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—

“(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.”

24 In section 20(1)—

(a) for the definition of " pupil midwife" substitute—

“" student midwife " means a person who is undergoing training with a view to becoming a registered midwife, and for that purpose attending women in childbirth, as part of a course of practical instruction in midwifery recognised by the National Board for Nursing, Midwifery and Health Visiting for England or for Wales”;

(b) omit the definition of " qualified nurse ".

25 Omit section 20(2).

#### *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 services of nurses”.

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*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—

“" 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 ".

*Scotland Act 1978 (c. 51)*

- 32 In Schedule 13 to the Scotland Act 1978, at the end of Part II add—

*“United Kingdom Central  
Council for Nursing,  
Midwifery and Health Visiting.*

*Nurses, Midwives and Health  
Visitors Act 1979, section 1.*

Standing committees of the Central Council constituted by Order.	The said Act, section 3.
National Board for Nursing, Midwifery and Health Visiting for Scotland.	The said Act, section 5.
Standing committees of the National Board for Scotland constituted by order.	The said Act, section 7.
Joint committees of the Central Council and the National Boards for Nursing, Midwifery and Health Visiting constituted by order.	The said Act, section 8.
Local training committees of the National Board for Scotland constituted by order.	The said Act, section 9.”

*Wales Act 1978 (c. 52)*

- 33 In Schedule 7 to the Wales Act 1978, at the end of Part II, add—

“United Kingdom Central Council for Nursing, Midwifery and Health Visiting.	Nurses, Midwives and Health Visitors Act 1979, section 1.
Standing committees of the Central Council constituted by order.	The said Act, section 3.
National Board for Nursing, Midwifery and Health Visiting for Wales.	The said Act, section 5.
Standing committees of the National Board for Wales constituted by order.	The said Act, section 7.
Joint committees of the Central Council and the National Boards for Nursing, Midwifery and Health Visiting constituted by order.	The said Act, section 8.
Local training committees of the National Board for Wales constituted by order.	The said Act, section 9.”

*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 ;”.

35 After Article 17(1), insert—

“(1A) The Health and Social Services Board in whose area a school for the training of nurses and midwives is situated shall—

- (a) employ, for the period of the person's training with a view to qualification for registration as a nurse or midwife, any person accepted for such training by it and the National Board for Nursing, Midwifery and Health Visiting for Northern Ireland ;
- (b) in assigning duties to any such person during that period, comply with the training requirements of the United Kingdom Central Council for Nursing, Midwifery and Health Visiting.”.

*Births and Deaths Registration (Northern Ireland) Order 1976 (S.I. 1976/1041 (N.I. 14))*

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 ".

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*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 ".

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

- 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 ".