

1974 No. 485 (S.33)

NATIONAL HEALTH SERVICE, SCOTLAND

**The National Health Service (Qualifications of Health Visitors)
(Scotland) Regulations 1974**

<i>Made</i>	- - -	<i>13th March 1974</i>
<i>Laid before Parliament</i>		<i>28th March 1974</i>
<i>Coming into Operation</i>		<i>1st April 1974</i>

In exercise of the powers conferred on me by paragraph 8 of Part I of Schedule 1 to the National Health Service (Scotland) Act 1972(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Health Service (Qualifications of Health Visitors) (Scotland) Regulations 1974 and shall come into operation on 1st April 1974.

(2) In these regulations, unless the context otherwise requires—

“Health Board” means a board constituted under section 13 of the National Health Service (Scotland) Act 1972;

“health visitor” means a person employed by a Health Board to visit people in their homes or elsewhere for the purpose of giving advice as to the care of young children, persons suffering from illness and expectant or nursing mothers, and as to the measures necessary to prevent the spread of infection, and includes a person so employed by a voluntary organisation under arrangements with a Health Board;

“the Council” means the Council for the Education and Training of Health Visitors constituted by section 1 of the Health Visiting and Social Work (Training) Act 1962(b), as amended by section 11 of the Local Authority Social Services Act 1970(c).

(3) The Interpretation Act 1889(d) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(a) 1972 c. 58.
(c) 1970 c. 42.

(b) 1962 c. 33.
(d) 1889 c. 63.

Qualification for employment as a health visitor

2. No person shall be employed as a health visitor unless such person—
- (a) holds the health visitors certificate issued by the Council; or
 - (b) holds the health visitors certificate issued by the Royal Sanitary Association of Scotland under conditions approved by the Secretary of State; or
 - (c) holds the health visitors certificate issued by the Royal Society for the Promotion of Health under conditions approved by the Secretary of State for Social Services; or
 - (d) held the appointment of health visitor immediately before 1st September 1965; or
 - (e) holds a qualification obtained outside the United Kingdom which the Secretary of State, after consultation with the Council, has approved for the purposes of this regulation;

Provided that—

- (i) a person who is qualified under paragraph (d) of this regulation shall be regarded as so qualified only in respect of employment by a Health Board whose employment such person entered in consequence of the transfer to that Board of the functions of the local health authority by whom that person was employed at 1st September 1965, or by a voluntary organisation by whom that person was employed at that date.
- (ii) a person who is qualified under paragraph (e) of this regulation shall be regarded as so qualified only for such period and in respect of such employment as is specified by the Secretary of State in his approval of the qualification.

Dispensation

3. The Secretary of State may dispense with any of the requirements of these regulations in any case in which he is satisfied that the person whom it is proposed to employ as a health visitor is a registered general nurse with a midwifery qualification or appropriate midwifery training and that the Health Board is unable to obtain the services of a health visitor qualified in accordance with paragraphs (a), (b), (c) or (e) of the preceding regulation.

Revocation

4.—(1) The National Health Service (Qualifications of Health Visitors) (Scotland) Regulations 1973(a) are hereby revoked.

(2) Section 38 of the Interpretation Act 1889 shall apply as if these regulations were an Act of Parliament and as if the regulations revoked by para-

(a) S.I. 1973/63 (1973 I, p. 399).

graph (1) above were an Act of Parliament repealed by an Act of Parliament.

(Sgd.) *William Ross*,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.
13th March 1974.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations replace the National Health Service (Qualifications of Health Visitors) (Scotland) Regulations 1973. The only changes made are those required to reflect the transfer of the responsibilities of local health authorities to Health Boards.

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