
STATUTORY INSTRUMENTS

2008 No. 2553

The Nursing and Midwifery Council (Constitution) Order 2008

PART 1

Introductory

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Nursing and Midwifery Council (Constitution) Order 2008 and—

- (a) apart from article 5(h), comes into force on 1st January 2009;
- (b) article 5(h) comes into force on the coming into force of section 44(1) of the Safeguarding Vulnerable Groups Act 2006⁽¹⁾ (registers: power to apply for vetting information).

(2) In this Order—

“chair” means the chair of the Council;

“final outcome”, in relation to any proceedings where there are rights of appeal, means the outcome of the proceedings—

- (a) once the period for bringing an appeal has expired without an appeal being brought; or
- (b) if an appeal is brought in accordance with those rights, once those rights have been exhausted;

“licensing body” means—

- (a) any body, other than the Council, anywhere in the world that licenses or regulates any profession;
- (b) any body that regulated registered nurses or registered midwives before the Council;

“member”, unless the context otherwise requires, means a registrant member or a lay member and includes the chair;

“the principal Order” means the Nursing and Midwifery Order 2001; and

“spent conviction” means—

- (a) in relation to a conviction by a court in Great Britain, a conviction that is a spent conviction for the purposes of the Rehabilitation of Offenders Act 1974⁽²⁾; or
- (b) in relation to a conviction by a court in Northern Ireland, a conviction that is a spent conviction for the purposes of the Rehabilitation of Offenders (Northern Ireland) Order 1978⁽³⁾.

⁽¹⁾ 2006 c.47.

⁽²⁾ 1974 c. 53.

⁽³⁾ S.I. 1978/1908 (N.I. 27).