# STATUTORY INSTRUMENTS

# 2002 No. 253

# **NURSES AND MIDWIVES**

# The Nursing and Midwifery Order 2001

*Made - - - 12th February 2002* 

Coming into force

articles 1 and 54(4) 12th February 2002

remainder in

accordance with article

1(2)

# THE NURSING AND MIDWIFERY ORDER 2001

### PART I

# **GENERAL**

- 1. Citation and commencement
- 2. Interpretation

### PART II

# THE COUNCIL AND ITS COMMITTEES

3. The Nursing and Midwifery Council and its Committees

# PART III

# REGISTRATION

- 4. Registrar
- 5. Establishment and maintenance of register
- 6. Register
- 7. The register: supplemental provisions
- 8. Access to register etc.
- 9. Registration
- 10. Renewal of registration and readmission
- 11. Deemed registration of visiting EEA nurses and midwives
- 12. Lapse of registration
- 13. Approved qualifications
- 14. EEA qualifications

#### PART IV

# **EDUCATION AND TRAINING**

- 15. Education and training
- 16. Visitors
- 17. Information to be given by institutions
- 18. Refusal or withdrawal of approval of courses, qualifications and institutions
- 19. Post-registration training
- 20. Wales

### PART V

### FITNESS TO PRACTISE

- 21. Council's functions in respect of fitness to practise, ethics and other matters
- 22. Allegations
- 23. Screeners
- 24. Screeners: supplementary provisions
- 25. Council's power to require disclosure of information
- 26. The Investigating Committee
- 27. The Conduct and Competence Committee
- 28. The Health Committee
- 29. Orders of the Health Committee and the Conduct and Competence Committee
- 30. Review of orders by the Health Committee and the Conduct and Competence Committee
- 31. Interim Orders by a Practice Committee
- 32. Investigation of allegations: procedural rules
- 33. Restoration to the register of persons who have been struck off
- 34. Legal assessors
- 35. Medical assessors
- 36. Registrant assessors

# PART VI

#### **APPEALS**

- 37. Appeals against Registrar's decisions
- 38. Appeals

# PART VII

# **EEA PROVISIONS**

- 39. Visiting EEA nurses and midwives
- 40. Competent authority for EEA purposes

## PART VIII

### **MIDWIFERY**

- 41. The Midwifery Committee
- 42. Rules as to midwifery practice
- 43. Local supervision of midwives

#### PART IX

### **OFFENCES**

- 44. Offences
- 45. Attendance by unqualified persons at childbirth

#### PART X

### **MISCELLANEOUS**

- 46. Further provisions
- 47. Rules and orders
- 48. Exercise of powers by the Privy Council
- 49. Default powers of the Privy Council
- 50. Annual reports
- 51. Finances of the Council
- 52. Accounts of the Council
- 53. Inquiry by the Privy Council
- 54. Supplementary and transitional provisions and extent Signature

# SCHEDULE 1 — THE NURSING AND MIDWIFERY COUNCIL AND COMMITTEES

# PART I — THE NURSING AND MIDWIFERY COUNCIL

- 1. Membership
- 2. (1) The Council shall provide in rules for an election...
- 3. Having consulted such persons as it considers appropriate, the Privy...
- 4. Of the members appointed by the Privy Council, there shall...
- 5. On a proposal from the Council or otherwise, the Privy...
- 6. Where a member appointed by the Privy Council ceases to...
- 7. (1) Where a member does not complete his term of...
- 8. Tenure of members
- 9. A member may resign at any time by notice in...
- 10. No member may be appointed for more than three consecutive...
- 11. The President
- 12. Procedure etc. of Council and committees
- 13. (1) In appointing non-Council members to any committee set up...
- 14. (1) Decisions of the Council and committees shall be made...
- 15. Powers of the Council

# PART II — THE STATUTORY COMMITTEES

- 16. Midwifery Committee
- 17. Practice Committees
- 18. (1) The members of each Practice Committee shall include registered...

### SCHEDULE 2 — TRANSITIONAL PROVISIONS

- 1. The initial membership of the Council
- 2. The transitional periods
- 3. The Members
- 4. Tenure of members
- 5. Where a member ceases to be a member, the Privy...
- 6. The Privy Council shall determine the duration, which may not...

- 7. Election Scheme
- 8. Appointment of first President
- 9. The register
- 10. Until such date as the first order under article 6(1)...
- 11. Where on the appointed day there are outstanding applications for—...
- 12. The entries in the register kept under the 1997 Act...
- 13. The Registrar
- 14. If the first Registrar ceases to hold office before a...
- 15. Functions of the Council during the transitional period
- 16. Fitness to practise proceedings
- 17. An appeal— (a) under section 12 of the 1997 Act...
- 18. Transitional provisions for local supervising authorities
- 19. Transfer of staff and property
- 20. (1) The Privy Council may by order provide for the...
- 21. (1) The Privy Council may by order provide for the...
- 22. An order made under paragraph 20(1)(a) or 21(1)(a) may be...
- 23. An order made under paragraph 20(1)(a) or 21(1)(a) may apply...
- 24. (1) The contract of employment of an employee transferred under...
- 25. (1) An order made under paragraph 20(1)(b) or 21(1)(b) may...

# SCHEDULE 3 — THE COMPETENT AUTHORITY FOR CERTAIN EEA PURPOSES

1. (1) The Council shall be the competent authority in the...

# SCHEDULE 4 — INTERPRETATION

# SCHEDULE 5 — CONSEQUENTIAL AMENDMENTS TO PRIMARY LEGISLATION

- 1. The Parliamentary Commissioner Act 1967 (c. 13)
- 2. Medicines Act 1968 (c. 67)
- 3. The Fair Trading Act 1973 (c. 41)
- 4. The House of Commons Disqualification Act 1975 (c. 24)
- 5. The Northern Ireland Assembly Disqualification Act 1975 (c. 25)
- 6. National Health Service Act 1977 (c. 49)
- 7. The Interpretation Act 1978
- 8. The Registered Homes Act 1984 (c. 23)
- 9. The Video Recordings Act 1984 (c. 39)
- 10. Children Act 1989 (c. 41)
- 11. The Registered Homes (Northern Ireland) Order 1992 (S.I. 1992/3204 (NI 20))
- 12. The Value Added Tax Act 1994 (c. 23)
- 13. Employment Rights Act 1996 (c. 18)
- 14. Data Protection Act 1998 (c. 29)
- 15. Government of Wales Act 1998 (c. 38)
- 16. The Health Act 1999 (c. 8)
- 17. Freedom of Information Act 2000 (c. 36)

**Explanatory Note**