



2002 CHAPTER 9

Charges for nursing care

1.—(1) In Article 36 of the 1972 Order for paragraph (4) there shall be substituted—

“(4) Subject to the following provisions of this Article, a person for whom accommodation is provided under any such arrangements shall refund to the Department—

- (a) where the payments made in respect of him under paragraph (3) include any amount in respect of nursing care by a registered nurse, the amount of such payments less any amount paid in respect of such nursing care;
- (b) in any other case, the amount of the payments made in respect of him under paragraph (3).

(4A) In paragraph (4) “nursing care by a registered nurse” means any services provided by a nurse registered under Article 5 of the Nursing and Midwifery Order 2001 ([SI 2002 / 253](#)) and involving—

- (a) the provision of care, or
- (b) the planning, supervision or delegation of the provision of care, other than any services which, having regard to their nature and the circumstances in which they are provided, do not need to be provided by a nurse so registered.”.

(2) In Article 36(5) of the 1972 Order for “paragraph (3)” there shall be substituted “paragraph (4)(a) or (b)”.

(3) In Article 99(2) of the 1972 Order at the end there shall be added “, other than any costs in respect of nursing care by a registered nurse (within the meaning given by Article 36(4A)) at that accommodation”.

The Northern Ireland Practice and Education Council for Nursing and Midwifery

2.—(1) There shall be a body corporate to be known as the Northern Ireland Practice and Education Council for Nursing and Midwifery (referred to in this Act as “the Council”).

(2) It shall be the duty of the Council to promote—

- (a) high standards of practice among nurses and midwives;
- (b) high standards in the education and training of nurses and midwives; and
- (c) the professional development of nurses and midwives.

(3) Without prejudice to the generality of subsection (2) the Council may—

- (a) provide guidance on best practice for nurses and midwives; and
- (b) provide advice and information on matters relating to nursing and midwifery.

(4) The Council shall, in the exercise of its functions, act—

- (a) in accordance with any directions given to it by the Department; and
- (b) under the general guidance of the Department.

(5) The Schedule shall have effect with respect to the Council.

Interpretation

3.—(1) In this Act—

“the Department” means the Department of Health, Social Services and Public Safety;

“the 1972 Order” means the [Health and Personal Social Services \(Northern Ireland\) Order 1972 \(NI 14\)](#).

(2) Except where any provision of this Act otherwise provides, any word or expression to which a meaning is assigned by Article 2(2) of the 1972 Order has the same meaning in this Act as in that Order.

Commencement

4.—(1) Sections 1 and 2 (with the Schedule) come into operation on such day or days as the Department may by order appoint.

(2) An order under this section may contain such transitional provisions as the Department considers necessary or appropriate.

Short title

5. This Act may be cited as the Health and Personal Social Services Act (Northern Ireland) 2002.