



# Nurses, Midwives and Health Visitors Act 1979

## CHAPTER 36

### NURSES, MIDWIVES AND HEALTH VISITORS ACT 1979

#### *The Central Council*

- 1 Constitution of Central Council.
- 2 Functions of Council.
- 3 Standing committees of Council
- 4 The Midwifery Committee.

#### *The National Boards and their relationship to the Central Council*

- 5 Constitution of National Boards.
- 6 Functions of Boards.
- 7 Standing committees of Boards.
- 8 Joint committees of Council and Boards.
- 9 Local training committees.

#### *Registration*

- 10 The professional register.
- 11 Admission to register.
- 11A Deemed registration of visiting EEC nurses and midwives.
- 12 Removed from, and restoration to, register.
- 12A Cautions.
- 13 Appeals.
- 14 False claim of professional qualification.

*Status: Point in time view as at 01/10/1991.*

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*Miscellaneous provisions about midwifery*

- 15 Rules as to midwifery practice.
- 16 Local supervision of midwifery practice.
- 17 Attendance by unqualified persons at childbirth.
- 18 Jury service in Scotland.

*Financial provisions*

- 19 Finances of Council and Boards.
- 20 Accounts of Council and Boards.

*Miscellaneous and general*

- 21 Dissolution of existing bodies, etc.
- 22 Central Council rules.
- 22A Community documents.
- 22B Visiting EEC nurses and midwives.
- 23 Interpretation and supplementary.
- 24 Citation, etc.

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**SCHEDULES**

**SCHEDULE 1 — Constitution etc. of Central Council**

**PART I — NOMINATION OF MEMBERS OF CENTRAL COUNCIL BY NATIONAL BOARDS**

- 1 (1) Each of the National Boards shall nominate as members...

**Part II — OTHER PROVISIONS WITH RESPECT TO CONSTITUTION ETC. OF CENTRAL COUNCIL**

*Tenure of office of members and chairman etc.*

- 2 (1) In the first instance, members of the Council shall...
- 3 (1) Where the place of a member becomes vacant before...
- 4 (1) If the chairman or deputy chairman ceases to be...
- 5 In Part III of Schedule 1 to the House of...

*Procedure*

- 6 (1) The Council may act notwithstanding— (a) any vacancy among...

*Remuneration, allowances and pensions*

- 7 A Board may pay— (a) to its employees such remuneration,...

*Documents*

- 8 A document purporting to be duly executed under the seal...

**SCHEDULE 2 — Constitution etc. of National Boards**

**Part I — NOMINATION OF MEMBERS OF CENTRAL COUNCIL BY NATIONAL BOARDS**

- 1 (1) The Central Council shall, within the period of two...

**Part II — OTHER PROVISIONS WITH RESPECT TO NATIONAL BOARDS**

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*Tenure of office of members and chairmen*

- 2 (1) With effect from the appointed day, members of each...
- 3 (1) Where the place of a member becomes vacant before...
- 4 (1) If the chairman or deputy chairman of a Board...
- 5 (1) In Part III of Schedule 1 to the House...

*Procedure*

- 6 (1) A Board may act notwithstanding— (a) any vacancy among...

*Remuneration, allowances and pensions*

- 7 A Board may pay— (a) to its employees such remuneration,...

*Documents*

- 8 A document purporting to be duly executed under the seal...

SCHEDULE 3 — Proceedings before Council and committees

- 1 For purposes of proceedings under section 12 before the Council...
- 2 (1) For purposes of proceedings under section 12 before the...
- 3 (1) The Central Council shall appoint assessors (either generally or...
- 4 (1) The Lord Chancellor and, for proceedings in Scotland, the...

SCHEDULE 4 — Qualification of Auditors

- 1 A person is qualified for the purposes of section 20(2)...
- 2 Those bodies are— the Institute of Chartered Accountants in England...
- 3 A person is also qualified if he is a member...
- 4 A Scottish firm is qualified if each of the partners...

SCHEDULE 5 — Transitional provisions, etc.

Part I — TRANSFER OF PROPERTY AND STAFF ETC. FROM EXISTING BODIES

- 1 In this Schedule— “the new statutory bodies” means the Central...
- 2 (1) The Secretary of State may by order provide for...
- 3 Orders under paragraph 2 shall provide for persons suffering loss...
- 4 Any dispute arising as to whether or not—
- 5 Any property, rights and liabilities (other than rights and liabilities...
- 6 (1) Where a person formerly employed by any of the...

Part II — CONTINUATION OF DISCIPLINARY PROCEEDINGS

- 7 Where on the appointed day any disciplinary proceedings—
- 8 An appeal by a person aggrieved by a decision of...
- 9 In this Part of this Schedule “the appointed day” means...

SCHEDULE 6 — Adaptations for Northern Ireland and its National Board

- 1 In sections, 5, 7, 9, 17, 19, 20, 22 and...
- 2 Subject to the following provisions of this Schedule, in the...
- 2A In section 5, for subsections (2) to (7) substitute—
- 3 In section 23(1)— (a) in the definition of “by order”,...
- 4 In section 23(2) at the end add—
- 5 In paragraph 1 of Schedule 3, for “in England and...

SCHEDULE 7 — Amendments of Enactments

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

- 1 In section 1(3)(d) of the Nursing Homes Registration (Scotland) Act...  
 2 .....  
 3 In section 10— (a) omit the definitions of “ qualified...

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

- 4 In section 27 of the Nurses (Scotland) Act 1951—  
 5 In section 29 for “ registered nurse” substitute “ registered...  
 6 In section 32, omit the definition of “ certified midwife”....

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

- 6A In section 33— (a) in section (5) omit the words...  
 7 In section 11(1) and (1A) of the Births and Deaths...

*Nurses Agencies Act 1957 (c.16)*

- 8 In section 1 of the Nurses Agencies Act 1957—  
 9 In section 3(2), for “ registered nurse” substitute “ registered...  
 10 In section 8, omit the definitions of “ certified midwife”...

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

- 11 In paragraph 4 of Schedule 1 to the 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,...  
 13 Omit section 21(6)

*Medicines Act 1968 (c. 67)*

- 14 In section 11 of the Medicines Act 1968—

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

- 15 In Schedule 1 to the Commissioner for Complaints Act (Northern...

*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...  
 17 In section 10(1)— (a) omit the definitions of “ Joint...  
 18 Omit section 10(2)  
 19 In section 11— (a) in subsection (1), for paragraphs (a)...  
 20 In section 19 omit the definitions of “ enrolled nurse”...  
 21 In section 20 omit the definitions of “ the Act...  
 22 In Schedule 1, omit the entry relating to the Nurses...  
 23 In section 4(e) of the Nursing Homes Act 1975 for...  
 24 .....  
 25 .....

*Sex Discrimination Act 1975 (c. 65)*

- 26 In paragraph 3(1) of Schedule 4 to the Sex Discrimination...

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*Restrictive Trade Practices Act 1976 (c. 34)*

27 In Schedule 1 to the Restrictive Trade Practices Act 1976,...

*National Health Service Act 1977 (c.49)*

28 In section 128(1) of the National Health Service Act 1977...

*National Health Service (Scotland) Act 1978 (c. 29)*

29 In section 108(1) of the National Health Service (Scotland) Act...

*Interpretation Act 1978 (c. 30)*

30 In Schedule 1 to the Interpretation Act 1978 (words and...

*Employment Protection (Consolidation) Act 1978 (c. 44)*

31 In section 33(5) of the Employment Protection (Consolidation) Act 1978,...

32—33 . . . . .

*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...

35 After Article 17(1), insert— (1A) The Health and Social Services...

*Births and Deaths Registration (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. 15))*

36 In Article 2(2) of the Births and Deaths Registration (Northern...

*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...

*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...

SCHEDULE 8 — Repeals

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