

Changes to legislation: *Health And Social Services And Social Security Adjudications Act 1983, Cross Heading: Tribunals for appeals relating to nursing homes (including maternity homes) and mental nursing homes is up to date with all changes known to be in force on or before 12 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 4

REGISTERED HOMES

PART III

[^{F1} REGISTERED HOMES TRIBUNALS

Textual Amendments

- F1** Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by Registered Homes Act 1984 (c. 23, SIF 113:3), s. 57, Sch. 3

Tribunals for appeals relating to nursing homes (including maternity homes) and mental nursing homes

- 52 (1) A Registered Homes Tribunal to hear an appeal relating solely to registration under the ^{M1}Nursing Homes Act 1975 shall include a registered medical practitioner.
- (2) Such a tribunal shall also include—
- (a) if the appeal relates to registration of a maternity home, a qualified midwife; and
 - (b) in any other case, a qualified nurse.
- (3) A tribunal which is constituted to hear both an appeal relating to registration under the Nursing Homes Act 1975 and an appeal relating to registration under Part I of this Schedule shall include a person selected in accordance with subparagraph (2) above.
- (4) In this Part of this Schedule—
- “nursing home” and “maternity home” have the meanings assigned to them by section 1 of the ^{M2}Nursing Homes Act 1975;
 - “mental nursing home” has the meaning assigned to it by section 2 of that Act;
 - “qualified midwife” means a person who is for the time being certified under the ^{M3}Midwives Act 1951 or registered under the ^{M4}Nurses, Midwives and Health Visitors Act 1979; and
 - “qualified nurse” means—
- (a) a person who is for the time being registered under section 2(1) of the ^{M5}Nurses Act 1957; or
 - (b) a person who—
 - (i) is for the time being registered under the Nurses, Midwives and Health Visitors Act 1979; and

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(ii) would have been qualified to be registered under section 2(1) of the Nurses Act 1957.]

Marginal Citations

M1 1975 c. 37.

M2 1975 c. 37.

M3 1951 c. 53.

M4 1979 c. 36.

M5 1957 c. 15.

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Commencement Orders yet to be applied to the Health And Social Services And Social Security Adjudications Act 1983

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2004/288 art. 2-6 commences \(2003 c. 43\)](#)
- [S.I. 2004/480 art. 2-5 commences \(2003 c. 43\)](#)
- [S.I. 2004/1009 art. 2 commences \(2003 c. 43\)](#)
- [S.I. 2004/1019 art. 2 commences \(2003 c. 43\)](#)
- [S.I. 2005/2897 art. 2 commences \(2002 c. 38\)](#)
- [S.I. 2005/2925 art. 24-11 commences \(2003 c. 43\)](#)
- [S.I. 2006/345 art. 2-7 commences \(2003 c. 43\)](#)
- [S.I. 2009/3074 art. 23 commences \(2008 c. 4\)](#)
- [S.I. 2011/849 art. 2 commences \(2010 nawm 2\)](#)
- [S.S.I. 2009/267 art. 2 commences \(2007 asp 4\)](#)