
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

Status: This is the original version (as it was originally made).

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

PART II — **THE STATUTORY COMMITTEES**

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...

Status: This is the original version (as it was originally made).

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