
STATUTORY INSTRUMENTS

2004 No. 1762

**The Nursing and Midwifery Order 2001
(Transitional Provisions) Order of Council 2004**

Postponing judgments

6. Where a committee deals with a case relating to conduct or health in accordance with the section 10 of Act and the Conduct Rules—

- (a) it may not from 1st August 2004 postpone, or further postpone, judgment pursuant to rule 18(4), 20(1)(f), 43(c) or 51 of the Conduct Rules, and rules 18(5), (6), (7) and (8)(b), 20, 26(3), 45, 48(2), 50 and 51 of the Conduct Rules shall cease to apply on that date in so far as they relate to postponement of judgment; and
- (b) if, but for paragraph (a), a committee would have postponed judgment, it shall, having invited the parties to address it on any relevant matter, act in accordance with article 29(4) or (5) of the Order, and—
 - (i) thereafter Part V and article 38 of the Order will apply to the decision or order of the committee as if it were a decision or order of a Committee under article 29(4) or (5) of the Order,
 - (ii) for these purposes, Part V and article 38 of the Order shall apply as if references to a Practice Committee (however made), except in article 38(3)(d) of the Order, were references to the committee dealing with the case, and
 - (iii) for these purposes, article 38(3)(d) of the Order shall apply as if for the words “Practice Committee concerned” there were substituted “such Practice Committee as the court or sheriff considers appropriate”.