

SCHEDULE 1

Amendments to the Nursing and Midwifery Order 2001

Temporary measures pending the introduction of the new constitution of the Council

- 12.**—(1) In Schedule 1(1) (the Nursing and Midwifery Council and committees)—
- (a) in paragraph 1 (which relates to membership of the Council)—
 - (i) in sub-paragraph (1)(c), before “12 members” insert “subject to sub-paragraph (2A),”;
 - (ii) in sub-paragraph (2), before “The Council” insert “Subject to sub-paragraph (2A),” and
 - (iii) after sub-paragraph (2) insert the following sub-paragraph—

“(2A) The Council need not appoint an alternate member for a particular registrant member, where to do so would require it to hold a by-election, and in these circumstances there shall be no alternate member for that registrant member (and the number of alternate members of the Council shall be reduced accordingly) unless or until an election (including a by-election) needs to be held to replace that registrant member.”;
 - (b) in paragraph 2(2)—
 - (i) in paragraph (b), before “at least one” insert “subject to paragraph 1(2A),” and
 - (ii) in paragraph (f), for “paragraph 7(3)” substitute “paragraphs 1(2A) and 7(3)”;
 - (c) in paragraph 8(2) (tenure of members)—
 - (i) in sub-paragraph (1), for “Subject to paragraph 6 of Schedule 2,” substitute “Subject to sub-paragraphs (1A) and (1B),” and
 - (ii) after sub-paragraph (1) insert the following sub-paragraphs—

“(1A) The term of office of any registrant or alternate member who holds office on 31st July 2008 shall expire at the end of 31st July 2010 or on the coming into force of the first order of the Privy Council under article 3(7A), whichever is the sooner.

(1B) The full term of office of any registrant or alternate member who ceases to be a member before 31st July 2008 and whose vacancy remains unfilled at the end of 31st July 2008 shall, for the purposes of paragraph 7(2), be treated as if it would have expired at the end of 31st July 2010 or on the coming into force of the first order of the Privy Council under article 3(7A), whichever is the sooner.”
- (2) In Schedule 2 (transitional provisions), omit paragraph 6(3) (which relates to the tenure of office of members following the end of the second transitional period).

(1) These measures which, by virtue of article 1(2)(b), will come into force on the day after the day on which this Order is made will take effect until the repeal of the provisions that they amend.

(2) Paragraph 8 has been amended by [S.I. 2006/1914](#).

(3) Paragraph 6 has been amended by [S.I. 2006/1914](#).