



# Nurses, Midwives and Health Visitors Act 1992

## 1992 CHAPTER 16

### *The National Boards*

#### **4 Changes to constitution**

In section 5 of the 1979 Act (constitution of National Boards for Nursing, Midwifery and Health Visiting) for subsections (2) to (10) there shall be substituted—

- “(2) A National Board shall consist of—
- (a) a chairman appointed by the Secretary of State from among persons who are registered nurses, midwives or health visitors,
  - (b) such number of other members appointed by the Secretary of State as he may specify by order,
  - (c) the person for the time being appointed in pursuance of subsection (6) (a) to be the chief executive officer of the Board, and
  - (d) any person for the time being appointed in pursuance of subsection (6) (b) to an office under the Board which is specified for the purposes of this paragraph by the Secretary of State by order.
- (3) Appointments to a National Board for the purposes of subsection (2)(b) shall be made from among persons who—
- (a) are registered nurses, midwives or health visitors, or
  - (b) have such qualifications and experience in education or other fields as, in the opinion of the Secretary of State, will be of value to the Board in the performance of its functions.
- (4) The Secretary of State shall so exercise his powers under this section as to secure in relation to a National Board that a majority of the members of the Board are registered nurses, midwives or health visitors.
- (5) The Secretary of State may, with the consent of the Treasury—

- (a) pay such remuneration as he thinks fit to any person who is a member of a National Board by virtue of appointment by the Secretary of State, and
  - (b) make such provision as he thinks fit for the payment to or in respect of any such person of pensions, allowances or gratuities.
- (6) A National Board shall have—
- (a) a chief executive officer, and
  - (b) such other officers as the Secretary of State may by order specify for the purposes of this paragraph,
- appointed by the Board.
- (7) The Secretary of State may by order make such further provision with respect to the constitution and administration of a National Board as he thinks fit.
- (8) Without prejudice to the generality of subsection (7), provision under that subsection may include—
- (a) provision with respect to qualification for membership;
  - (b) provision for the appointment of a deputy chairman and with respect to his powers;
  - (c) provision with respect to tenure of office of chairman, deputy chairman and other members;
  - (d) provision with respect to the appointment of officers;
  - (e) provision requiring payments to employees to be such as the Secretary of State may, with the consent of the Treasury, approve;
  - (f) provision requiring powers with respect to the employment of staff to be exercised in accordance with written directions of the Secretary of State;
  - (g) provision with respect to procedure, including the constitution of committees;
  - (h) provision authorising the appointment of persons who are not Board members to committees of the Board.
- (9) Orders under subsection (7) may include provision with respect to proof of documents.
- (10) Orders under this section may make different provision in relation to different Boards.”

## **5 Functions**

- (1) Section 6 of the 1979 Act (functions of National Boards) shall be amended as follows.
- (2) In subsection (1), in paragraph (a), for “provide, or arrange for others to provide, at institutions approved by the Board-” there shall be substituted “approve institutions in relation to the provision of-”.
- (3) In that subsection, after “and” at the end of paragraph (d) there shall be inserted—
- “(da) perform such other functions relating to nurses, midwives or health visitors as the Secretary of State may by order prescribe.”
- (4) In that subsection, paragraph (e) (investigation of cases of alleged misconduct) shall be omitted.

- (5) In subsection (2), for the words from “have” to the end there shall be substituted “take account of any difference in the considerations applying to the different professions.”

## **6 Committees**

The following provisions of the 1979 Act shall cease to have effect—

- (a) section 7 (standing committees of National Boards),
- (b) section 8 (joint committees of Central Council and National Boards), and
- (c) section 9 (local training committees of National Boards).