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STATUTORY INSTRUMENTS

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**2004 No. 1269**

**NURSES MIDWIVES AND  
HEALTH VISITORS, ENGLAND**

**The Nurses Agencies (Amendment) Regulations 2004**

<i>Made</i>	- - - -	<i>5th May 2004</i>
<i>Laid before Parliament</i>		<i>12th May 2004</i>
<i>Coming into force</i>	- -	<i>2nd June 2004</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 4(6) and 118(5) of the Care Standards Act 2000(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

**Citation, commencement, application and interpretation**

1.—(1) These Regulations may be cited as the Nurses Agencies (Amendment) Regulations 2004 and shall come into force on 2nd June 2004.

(2) These Regulations apply in relation to England only.

(3) In these Regulations—

(a) “the Act” means the Care Standards Act 2000; and

(b) “the principal Regulations” means the Nurses Agencies Regulations 2002(2).

**Amendment of regulation 3 of the principal Regulations**

2. For regulation 3 of the principal Regulations (excepted agencies), substitute—

“3. For the purposes of the Act—

(a) a Special Health Authority which supplies staff, including nurses, to work for another National Health Service body;

(b) an NHS trust which supplies nurses to work solely for another National Health Service body; and

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(1) [2000 c. 14](#). The powers are exercisable by the appropriate Minister, who is defined in section 121(1), in relation to England, Scotland and Northern Ireland, as the Secretary of State, and in relation to Wales, as the National Assembly for Wales. “Prescribed” and “regulations” are defined in section 121(1) of the Act.

(2) [S.I.2002/3212](#) as amended by [S.I. 2003/2323](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(c) an NHS foundation trust<sup>(3)</sup>, which supplies nurses to work solely for another National Health Service body,  
shall be excepted from being a nurses agency.”.

Signed by authority of the Secretary of State

5th May 2004

*Stephen Ladyman*  
Parliamentary Under Secretary of State,  
Department of Health

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(3) An NHS foundation trust is defined in section 1 of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43).

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which apply in relation to England only, amend the Nurses Agencies Regulations 2002 (which also apply in relation to England only) in order to except the following undertakings from the definition of nurses agency in section 3(5) of the Care Standards Act 2000—

- (a) a Special Health Authority which supplies staff, including nurses, to work for another National Health Service body;
- (b) an NHS trust which supplies nurses to work solely for another National Health Service body; and
- (c) an NHS foundation trust which supplies nurses to work solely for another National Health Service body.