
WELSH STATUTORY INSTRUMENTS

2003 No. 3054 (W.292)

**NURSES, MIDWIVES AND
HEALTH VISITORS, WALES**

The Nurses Agencies (Wales) (Amendment) Regulations 2003

Made - - - - - *26th November 2003*

Coming into force - - - - - *1st December 2003*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 4(6), 16(3), 22(1) and (2)(b), 25, 34(1), 35 and 118(5) — (7) of the Care Standards Act 2000⁽¹⁾ hereby makes the following Regulations:—

Citation, commencement and application

1.—(1) These Regulations may be cited as the Nurses Agencies (Wales) (Amendment) Regulations 2003 and come into force on 1st December 2003.

(2) These Regulations apply to nurses agencies in Wales only.

Amendment of the Nurses Agencies (Wales) Regulations 2003

2. The Nurses Agencies (Wales) Regulations 2003⁽²⁾ are amended as follows:—

in regulation 12(1) (Fitness of nurses supplied by an agency) the following is substituted for subparagraph (d):—

- “(d) full and satisfactory information is available in relation to him or her —
- (i) except where paragraph (3) applies, in respect of each matter specified in paragraphs 1 to 4 and 6 to 13 of Schedule 3;
 - (ii) where paragraph (3) applies, in respect of each matter specified in paragraphs 1 to 3 and 5 to 13 of Schedule 3.”

(1) 2000 c. 14. The powers are exercisable by the appropriate Minister, who is defined in section 121(1) as read with section 5(1)(b), in relation to Wales as the National Assembly for Wales.
(2) S.I. 2003/2527 (W.242).

Status: This is the original version (as it was originally made).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

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3).

26th November 2003

D. Elis-Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Nurses Agencies (Wales) Regulations 2003 (“the 2003 Regulations”). Regulation 12 of the 2003 Regulations requires that the person registered under the Care Standards Act 2000 in respect of a nurses agency must ensure that no nurse is supplied by the agency unless “fit”. One requirement of fitness is that certain information and documentation is to be available in relation to these nurses. Amongst the documentation that is to be available are criminal record certificates issued under either section 113 or 115 of the Police Act 1997 and a report of a police check.

The amendments to the 2003 Regulations provide that a police check must be available only where a certificate under the Police Act has been applied for but the certificate has not been issued.