



Nurses, Midwives and Health Visitors Act 1997 (repealed)

1997 CHAPTER 24

The Central Council

Textual Amendments applied to the whole legislation

F1 Act repealed (*prosp.*) 1999 c. 8, ss. 60(3), 65(2), 67(1), **Sch. 5**, the repeal being brought into force as follows: 11.5.2001, to the extent that s. 10(5) and Sch. 1 para. 7(4) ceased to have effect by **S.I. 2001/1985, art. 2(2)(a)**; 1.4.2002, to the extent that ss. 1-8, 10, 11, 14, 15, 17-20, 22 (in part), 24 (in part), Schs. 1-3 and Sch. 4 paras. 1, 2 are repealed, by **S.I. 2002/1167, arts. 3(a), 5** (with transitional provisions and savings in **S.I. 2002/253, arts. 1(3), 54, sch. 2** (with **art. 3(18)**) (coming into force in accordance with art. 1(3) of the said **S.I. 2002/253**)

1 Constitution of Central Council.

- (1) There shall continue to be a corporate body known as the United Kingdom Central Council for Nursing, Midwifery and Health Visiting.
- (2) Subject to any order under paragraph 1 of Schedule 1 to this Act, the Council shall consist of sixty members.
- (3) Two-thirds of the members of the Council (“elected members”) shall be appointed by the Secretary of State on being elected under the electoral scheme, that is to say, the scheme having effect under the ^{M1}United Kingdom Central Council for Nursing, Midwifery and Health Visiting (Electoral Scheme) Order 1992 (with any variations under paragraph 2 of Schedule 1 to this Act).
- (4) Appointments otherwise than for the purposes of subsection (3) shall be made by the Secretary of State from among persons who—
 - (a) are registered nurses, midwives, health visitors or medical practitioners; 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 Council in the performance of its functions.

Status: Point in time view as at 19/06/1997.

Changes to legislation: There are currently no known outstanding effects for the Nurses, Midwives and Health Visitors Act 1997 (repealed), Cross Heading: The Central Council. (See end of Document for details)

- (5) In making appointments for the purposes of subsection (4) the Secretary of State shall have especially in mind—
- (a) the need to secure that the members of the Council include registered nurses, midwives and health visitors and persons living or working in each part of the United Kingdom; and
 - (b) the need to secure that qualifications and experience in the teaching of nursing, midwifery and health visiting are adequately represented on the Council.
- (6) The Council shall have a president and a vice-president appointed by the Council from among its members.
- (7) Schedule 1 to this Act shall have effect with respect to the constitution and administration etc. of the Council.
- (8) For the purposes of subsection (3), a person appointed as a replacement for an elected member shall be treated as an elected member.

Marginal Citations

M1 [S.I. 1992/2159](#).

2 Functions of the Council.

- (1) The principal functions of the Central Council shall be to establish and improve standards of training and professional conduct for nurses, midwives and health visitors.
- (2) The Council shall ensure that the standards of training it establishes are such as to meet any Community obligation of the United Kingdom.
- (3) The Council shall by means of rules determine the conditions of a person's being admitted to training, and the kind, content and standard of training to be undertaken, with a view to registration.
- (4) The rules may also make provision with respect to the kind, content and standard of further training available to persons who are already registered.
- (5) The powers of the Council shall include that of providing, in such manner as it thinks fit, advice for nurses, midwives and health visitors on standards of professional conduct.
- (6) In the discharge of its functions the Council shall have proper regard for the interests of all groups within the professions, including those with minority representation.

Modifications etc. (not altering text)

C1 [Ss. 2-8, 14, 15, 20, 21](#): temp. amendment as to exercise of functions by [S.I. 2002/253](#), art. 54, [Sch. 2](#) (with art. 3(18) (coming into force in accordance with art. 1(3))

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3 Standing committees of Council.

- (1) The Secretary of State shall by order constitute as standing committees of the Council a Midwifery Committee and a Finance Committee.
- (2) The Council shall consult the Finance Committee on all financial matters.
- (3) If the Council (having regard to the duty imposed by section 2(6)) requests the Secretary of State to do so, he may by order constitute other standing committees of the Council and (to the extent prescribed by the order) require the Council to consult them on, or empower them to discharge functions of the Council with respect to, other matters.
- (4) An order constituting a standing committee of the Council—
 - (a) may provide for persons who are not members of the Council to be appointed as members of that committee; and
 - (b) shall provide for a majority on the committee to be persons who work or have worked in the professional field with which it is primarily concerned.

Modifications etc. (not altering text)

- C2** Ss. 2-8, 14, 15, 20, 21: temp. amendment as to exercise of functions by [S.I. 2002/253](#), art. 54, [Sch. 2](#) (with art. 3(18) (coming into force in accordance with art. 1(3))

4 The Midwifery Committee.

- (1) Of the members of the Council's Midwifery Committee the majority shall be practising midwives.
- (2) The Council shall consult the Committee on all matters relating to midwifery and the Committee shall, on behalf of the Council, discharge such of the Council's functions as are assigned to the Committee either by the Council or by the Secretary of State by order.
- (3) The Council shall assign to the Committee any matter involving a proposal to make, amend or revoke rules under section 14 below; and the Committee shall consider the proposal and report on it to the Council.
- (4) The Secretary of State shall not approve rules relating to midwifery practice unless satisfied that they are framed in accordance with recommendations of the Council's Midwifery Committee.
- (5) Any matter which is assigned to the Midwifery Committee otherwise than under subsection (3) shall be finally dealt with by the Committee on behalf of the Council so far as the Council expressly authorises the Committee to deal finally with it; and the Committee shall make a report to the Council as to the way in which it has dealt with the matter.

Modifications etc. (not altering text)

- C3** Ss. 2-8, 14, 15, 20, 21: temp. amendment as to exercise of functions by [S.I. 2002/253](#), art. 54, [Sch. 2](#) (with art. 3(18) (coming into force in accordance with art. 1(3))

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