

*Status: Point in time view as at 01/04/2002.*

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to legislation: There are currently no known outstanding effects for the Nurses, Midwives and Health Visitors Act 1997 (repealed).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

## SCHEDULES

### SCHEDULE 1

Section 1.

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### SCHEDULE 2

Section 10(8).

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### SCHEDULE 3

Section 22(3).

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### SCHEDULE 4

Section 23(1).

### CONSEQUENTIAL AMENDMENTS

*The House of Commons Disqualification Act 1975 (c.24)*

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*The Northern Ireland Assembly Disqualification Act 1975 (c.25)*

.....

*The Registered Homes Act 1984 (c. 23)*

<sup>F23</sup> .....

#### Textual Amendments

**F2** Sch. 4 para. 3 repealed (1.4.2002 (E.W.)) by 2000 c. 14, ss. 117(2), 122, Sch. 6; S.I. 2001/4150, art. 3(3) (c)(xiii) (subject to transitional provisions in art. 4 and and to the amendment of art. 3 by S.I. 2002/1493, art. 6); S.I. 2002/920, art. 3(3)(g)(xi) (subject to art. 3(5)-(10) and to transitional provisions in Schs. 1-3)

*The Video Recordings Act 1984 (c. 39)*

4 In section 3(11) of the Video Recordings Act 1984, for “the Nurses, Midwives and Health Visitors Act 1979” substitute “ the Nurses, Midwives and Health Visitors Act 1997 ”.

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*The Registered Homes (Northern Ireland) Order 1992 (S.I. 1992/3204 (N.I. 20))*

- 5 In Article 32(2)(b) of the Registered Homes (Northern Ireland) Order 1992 for “section 10 of the Nurses, Midwives and Health Visitors Act 1979” substitute “section 7 of the Nurses, Midwives and Health Visitors Act 1997”.

*The Value Added Tax Act 1994 (c. 23)*

- 6 In Part II of Schedule 9 to the Value Added Tax Act 1994, in item 1(d) in Group 7, for “section 10 of the Nurses, Midwives and Health Visitors Act 1979” substitute “section 7 of the Nurses, Midwives and Health Visitors Act 1997”.

SCHEDULE 5

Section 23(2).

TRANSITIONAL PROVISIONS AND SAVINGS

*General*

- 1 The substitution of this Act for the provisions repealed by it does not affect the continuity of the law.
- 2 Anything done (including subordinate legislation made) under or otherwise by reference to a provision repealed by this Act has effect as if done under or by reference to any corresponding provision of this Act.
- 3 Any reference, express or implied, in this Act, another enactment or an instrument or document, to a provision of this Act is, subject to its context, to be read as being or including a reference to the corresponding provision repealed by this Act, in relation to times, circumstances or purposes in relation to which the repealed provision had effect.
- 4 (1) Any reference, express or implied, in any enactment, instrument or document, to a provision repealed by this Act is, subject to its context, to be read as being or including a reference to the corresponding provision of this Act, in relation to times, circumstances or purposes in relation to which that provision has effect.
- (2) In particular, where a power conferred by an Act is expressed to be exercisable in relation to enactments contained in Acts passed before or in the same Session as that Act, the power is also exercisable in relation to any corresponding provision of this Act.
- 5 Any reference to an enactment repealed by this Act which is contained in a document made, served or issued after the repeal has come into force is, subject to its context, to be read as being or including a reference to the corresponding provision of this Act.
- 6 Paragraphs 1 to 5 are in place of section 17(2) of the <sup>M6</sup>Interpretation Act 1978 but do not otherwise affect the application of that Act.

**Marginal Citations**

**M6** 1978 c. 30.

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*Claims against pre-1979 bodies*

- 7 (1) Where a person formerly employed by any of the bodies dissolved by virtue of section 21(1) of the <sup>M7</sup>Nurses, Midwives and Health Visitors Act 1979 claims to have a right of action against that body arising from his employment by it but is unable to pursue his claim because of the dissolution of the body, he may bring his claim—
- (a) if he was transferred to the employment of the Central Council or one of the National Boards, against the body to whose employment he was transferred; or
  - (b) in any other case, against the Central Council.
- (2) The body against whom a claim is brought by virtue of sub-paragraph (1) shall be liable in the same manner and to the same extent as the body dissolved would have been liable if it had not been dissolved.

**Marginal Citations**

M7 1979 c. 36.

SCHEDULE 6

Section 23(3).

REPEALS AND REVOCATIONS

<b>Chapter or number</b>	<b>Short title or title</b>	<b>Extent of repeal or revocation</b>
1979 c. 36.	The Nurses, Midwives and Health Visitors Act 1979.	The whole Act so far as unrepealed except sections 23(4) and 24 and Schedule 7.
S.I. 1983/884.	The Nursing and Midwifery Qualifications (EEC Recognition) Order 1983.	The whole instrument.
S.I. 1984/1975.	The Nursing and Midwifery Qualifications (EEC Recognition) Amendment Order 1984.	The whole instrument.
1985 c. 9.	The Companies Consolidation (Consequential Provisions) Act 1985.	In Schedule 2, the entry relating to the Nurses, Midwives and Health Visitors Act 1979.
1990 c. 41.	The Courts and Legal Services Act 1990.	In Schedule 10, paragraph 43.
1992 c. 16.	The Nurses, Midwives and Health Visitors Act 1992.	The whole Act.
1995 c. 17.	The Health Authorities Act 1995.	In Schedule 1, paragraph 104.

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S.I. 1996/3101.	The Nurses, Midwives and Health Visitors Act 1979 (Amendment) Regulations 1996.	The whole instrument.
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## TABLE OF DERIVATIONS

### NOTES:

- 1 This Table shows the derivation of the provisions of the Act.
- 2 The following abbreviations are used in the Table—

#### Acts of Parliament

1979	= Nurses, Midwives and Health Visitors Act 1979 (c.36)
1992	= Nurses, Midwives and Health Visitors Act 1992 (c. 16)

#### Subordinate Legislation

S.I. 1983/884	= Nursing and Midwifery Qualifications (EEC Recognition) Order 1983
S.I. 1996/3101	= Nurses, Midwives and Health Visitors Act 1979 (Amendment) Regulations 1996

Provision	Derivation
1(1)	1979 s.1(1).
(2) to (8)	1979 s.1(2) to (8); 1992 ss.1(1), 2, Sch.2 para.8(3); United Kingdom Central Council for Nursing, Midwifery and Health Visiting (Membership Proposal) Approval Order 1992 (S.I. 1992/2160); United Kingdom Central Council for Nursing, Midwifery and Health Visiting (Electoral Scheme) Order 1992 (S.I. 1992/2159).
2(1), (2)	1979 s.2(1), (2).
(3)	1979 s.2(3); 1992 Sch.2 para.3.
(4) to (6)	1979 s.2(4) to (6).
3(1), (2)	1979 s.3(1), (2).
(3)	1979 s.3(3); 1992 s.3.
(4)	1979 s.3(4).

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4	1979 s.4.
5(1)	1979 s.5(1).
(2) to (5)	1979 s.5(2) to (5); 1992 s.4.
(6)	1979 Sch.2 para.7(b); Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670) Arts.2 and 3(5).
(7) to (11)	1979 s.5(6) to (10); 1992 s.4.
6(1)(a)	1979 s.6(1)(a); 1992 s.5(2).
(b)	1979 s.6(1)(b); 1992 Sch.2 para.4.
(c), (d)	1979 s.6(1)(c), (d).
(e)	1979 s.6(1)(da); 1992 s.5(3).
(2)	1979 s.6(2); 1992 s.5(5).
7	1979 s.10.
8(1), (2)	1979 s.11(1), (2).
(3)	1979 s.11(3); S.I. 1996/3101 Reg.2(1).
(4)	1979 s.11(3A); S.I. 1983/884 Art.3(a); Nursing and Midwifery Qualifications (EEC Recognition) Amendment Order 1984 (S.I. 1984/1975) Art. 2.
(5)	1979 s.11(3B); S.I. 1996/3101 Reg.2(2).
(6)	1979 s.11(4); European Communities (Medical, Dental and Nursing Professions) (Linguistic Knowledge) Order 1981 (S.I. 1981/432) Art.2(1)(f).
(7)	1979 s.11(4A); S.I. 1983/884 Art.3(b); S.I. 1996/3101 Reg.2(3).
(8)	1979 s.11(5); S.I. 1996/3101 Reg.2(4).
9	1979 s.11A; S.I. 1983/884 Art.4; S.I. 1996/3101 Reg.4(1).
10(1)(a)	1979 s.12(1)(a).
(b)	1979 s.12(1)(b).
(c), (d)	1979 s.12(1)(ba), (bb); 1992 s.7(2).
(e)	1979 s.12(1)(c).
(2)	1979 s.12(2); 1992 ss.7(3), 8(2).
(3), (4)	1979 s.12(2A), (2B); S.I. 1983/884 Art.5(1); S.I. 1996/3101 Reg.4(2).
(5), (6)	1979 s.12(3), (3A); 1992 s.8(3)(a), (b).

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(7), (8)	1979 s.12(4), (5).
(9)	1979 s.12(6); 1992 s.7(4).
11	1979 s.12A; 1992 s.9.
12(1)	1979 s.13(1); 1992 s.7(5); S.I. 1983/884 Art.5(2).
(2)	1979 s.13(2).
13(1), (2)	1979 s.14(1), (2).
(3)	1979 s.14(3); Criminal Justice Act 1982 (c.48) s.46; Criminal Justice (Scotland) Act 1975 (c.21) s.289G; Fines and Penalties (Northern Ireland) Order 1984 (S.I. 1984/703 (N.I.3)) Art.5.
14(1)	1979 s.15(1).
(2)	1979 s.15(2); 1992 s.11.
15(1)(a)	1979 s.16(1)(a); Health Authorities Act 1995 (c.17) Sch.1 para.104.
(b), (c)	1979 s.16(1)(c), (d).
(2)(a)	1979 s.16(2)(a).
(b)	1979 s.16(2)(b); 1992 Sch.2 para.5.
(c)	1979 s.16(2)(c).
(3), (4)	1979 s.16(3), (4).
(5)	1979 s.16(5); 1992 s.12.
16(1)	1979 s.17(1).
(2)	1979 s.17(3); 1992 Sch.2 para.6.
(3)	1979 s.17(4); Criminal Justice Act 1982 (c.48) s.46; Criminal Justice (Scotland) Act 1975 (c.21) s.289G; Fines and Penalties (Northern Ireland) Order 1984 (S.I. 1984/703 (N.I.3)) Art.5.
17	1979 s.19; 1992 s.13(2)(b).
18(1), (2)	1979 s.20(1), (2).
(3)	1979 s.20(2A); Companies Act 1989 (Eligibility for Appointment as Company Auditor) (Consequential Amendments) Regulations 1991 (S.I. 1991/1997) Sch. para.32.
(4), (5)	1979 s.20(3), (4).
(6)	1979 s.20(5); 1992 Sch.2 para.7.
(7)	1979 s.20(6).
19(1) to (3)	1979 s.22(1) to (3).

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(4)	1979 s.22(3A); 1992 s.14.
(5)	1979 s.22(4).
20	1979 s.22A; S.I. 1983/884 Art.6; S.I. 1996/3101 Reg.4(3).
21(1)	1979 s.22B(1); S.I. 1983/884 Art.6; S.I. 1996/3101 Reg.3(1).
(2)	1979 s.22B(1A); S.I. 1996/3101 Reg.3(2).
(3) to (5)	1979 s.22B(2) to (4); S.I. 1983/884 Art.6; S.I. 1996/3101 Reg.3(3), (4).
(6), (7)	1979 s.22B(5), (6); S.I. 1996/3101 Reg.3(5).
22(1)	1979 s.23(1); 1992 Sch.2 para.8.
(2), (3)	1979 s.23(2), (3).
23	
24(1), (2)	
(3)	See Nurses, Midwives and Health Visitors Act 1992 (Commencement No.1) Order 1993 (S.I. 1993/588 (C.11)) and 1979 s.6(1)(a).
(4)	See Nurses, Midwives and Health Visitors Act 1992 (Commencement No.1) Order 1993 (S.I. 1993/588 (C.11)) and 1992 Sch.3.
(5)	1992 s.17(3).
(6)	1979 s.24(3); 1992 s.17(4).
Sch. 1	1979 Sch.1; 1992 s.1(2), Sch.1.
Sch. 2	
para.1	1979 Sch.3 para.1; Interpretation Act 1978 (c.30) s.17(2)(a) and Supreme Court Act 1981 (c.54) s.36.
para.2	1979 Sch.3 para.2.
para.3(1)	1979 Sch.3 para.3(1).
para.3(2)	1979 Sch.3 para.3(2); Courts and Legal Services Act 1990 (c.41) Sch.10 para.43.
para.3(3)	1979 Sch.3 para.3(3).
para.4	1979 Sch.3 para.4.
Sch. 3	

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para.1	1979 Sch.6 para.1; 1992 Sch.2 para.9(2).
para.2	1979 Sch.6 para.2; 1992 Sch.2 para.9(3); Departments (Northern Ireland) Order 1982 (S.I. 1982/338 (N.I.6)) Art. 3; Companies (1990 Order) (Eligibility for Appointment as Company Auditor) (Consequential Amendments) Regulations (Northern Ireland) 1993 (S.I. 1993/67) Sch. para.8.
para.3	1979 Sch.6 para.2A; 1992 Sch.2 para.9(4); as to s.5(6), 1979 Sch.2 para.7(b) and Sch.6 para.2, and Departments (Northern Ireland) Order 1982 (S.I. 1982/338 (N.I.6)) Arts. 4 and 7.
para.4	1979 Sch.6 para.3; 1992 Sch.2 para.9(5); Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I.12)) Sch.4 para.28.
para.5	1979 Sch.6 para.4; 1992 Sch.2 para.9(6).
para.6	1979 Sch.6 para.5.
Sch. 4	
para.1	
para.2	1979 Sch.2 para.5(2); 1992 Sch.2 para.2.
Sch. 5	
paras.1 to 6	
para.7	1979 Sch.5 para.6.
Sch. 6	

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