
S T A T U T O R Y I N S T R U M E N T S

1976 No. 1188

NURSES AND MIDWIVES

**The Nurses and Enrolled Nurses (Amendment)
Rules Approval Instrument 1976**

<i>Made</i>	- - -	<i>28th July 1976</i>
<i>Laid before Parliament</i>		<i>5th August 1976</i>
<i>Coming into Operation</i>		<i>26th August 1976</i>

The Secretary of State for Social Services, in exercise of powers conferred by section 32 of the Nurses Act 1957^(a), and now vested in him^(b), and of all other powers enabling him in that behalf, hereby approves the rules made by the General Nursing Council for England and Wales as set out in Schedules 1 and 2 hereto.

This Instrument may be cited as the Nurses and Enrolled Nurses (Amendment) Rules Approval Instrument 1976, and shall come into operation on 26th August 1976.

David Ernals,
Secretary of State for Social Services.

28th July 1976.

^(a) 1957 c. 15.

^(b) S.I. 1968/1699 (1968 III, p. 4585).

SCHEDULE 1

THE GENERAL NURSING COUNCIL FOR ENGLAND AND WALES

The Nurses Acts 1957 to 1969

The General Nursing Council for England and Wales, in exercise of the powers conferred on them by the following sections of the Nurses Act 1957(a), namely, section 3 (as extended by section 7(1) of the Nurses Act 1969(b)), sections 7 and 10, section 17 (as substituted by section 1 of the Teachers of Nursing Act 1967(c)), and sections 22, 23, and 30 and of all other powers enabling them in that behalf, having consulted with the General Nursing Council for Scotland and the Northern Ireland Council for Nurses and Midwives, hereby make the following rules:—

Citation and Interpretation

1.—(1) These rules may be cited as the Nurses (Amendment) Rules 1976.

(2) In these rules “the principal rules” means the Nurses Rules 1969(d), as amended(e).

(3) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(f) shall apply for the purposes of the interpretation of these rules as they apply for the purposes of the interpretation of an Act of Parliament.

Amendment of rule 5 of the principal rules

2.—(1) Rule 5 of the principal rules shall be amended in accordance with the following provisions of this rule.

(2) For paragraph (4) there shall be substituted the following paragraph:—

“(4) In respect of every institution, other than an institution vested in the Secretary of State or the Secretary of State for Wales, for which application is made to the Council for approval under paragraph (1) of this rule, there shall be paid to the Council by the persons responsible for its management the following fees, which shall be payable on the date of approval and on each anniversary of such date (hereinafter referred to as “the due date”):—

Institutions having not more than 100 persons undergoing training on the due date	...	£100 per annum
Institutions having more than 100 but not more than 200 persons undergoing training on the due date	£150 per annum
Institutions having more than 200 persons undergoing training on the due date	£200 per annum”.

(3) Paragraph (5) is hereby revoked.

Amendment of rule 7 of the principal rules

3.—(1) Subject to the provisions of paragraph (2) of this rule, in paragraph (1)(b)(i) of rule 7 of the principal rules for the words from “holds the” to “Grade 1 pass” and in paragraph 1(b)(ii) of that rule for the words from “holds a” to “Grade 1 pass” there shall be, in each case, substituted the following words:—

“has attained Grade A, B or C in the General Certificate of Education Ordinary Level Examination, or a Grade 1 pass in the Certificate of Secondary Education Examination”.

(a) 1957 c. 15.

(b) 1969 c. 47.

(c) 1967 c. 16.

(d) S.I. 1969/1675 (1969 III, p. 5245).

(e) The relevant amending instrument is S.I. 1973/1077 (1973 II, p. 3215).

(f) 1889 c. 63.

(2) In relation to a General Certificate of Education at ordinary level obtained before 1st May 1975 rule 7 of the principal rules shall have effect as if the amendment made by paragraph (1) of this rule had not been made.

Amendment of rule 30 of the principal rules

4. In rule 30 of the principal rules for “£3 0s. 0d.” there shall be substituted “£6” and for “£9” there shall be substituted “£17”.

Amendment of rule 31 of the principal rules

5. In rule 31 of the principal rules for “£2” there shall be substituted “£3”.

Amendment of rule 36 of the principal rules

6.—(1) Rule 36 of the principal rules shall be amended in accordance with the following provisions of this rule.

(2) In paragraph (1)(c) for heads (i) and (ii) there shall be substituted the following words:—

“completed not less than three years nursing experience, exclusive of any period of post-registration training, of which experience not less than two years shall have been in the field of health visiting; or”.

(3) In head (iii) of paragraph (2)(b) there shall be inserted after the number “730” the following words:—

“and Part A of the Diploma of Nursing of the University of London”.

Amendment of rule 91 of the principal rules

7. In rule 91 of the principal rules for “£4” there shall be substituted “£5”.

Amendment of Schedule 2 to the principal rules

8. In the Form of Notice set out in Schedule 2 to the principal rules for the words “determine whether your name should be removed from the register” there shall be substituted the words “decide what disciplinary action, if any, should be taken”.

Transitional provision in relation to rule 6 of these rules

9. The provision of paragraph (3) of rule 6 to these rules shall not come into operation until 1 September 1977.

(L.S.)

N. Barry,
Chairman of the Council.

The seal of the General Nursing Council for England and Wales was hereunto affixed on 23rd May 1976.

Eve R. D. Bendall,
Registrar.

SCHEDULE 2

THE GENERAL NURSING COUNCIL FOR ENGLAND AND WALES

The Nurses Acts 1957 to 1969

The General Nursing Council for England and Wales in exercise of the powers conferred on them by the following sections of the Nurses Act 1957(a), namely section 3 (as extended by section 7(1) of the Nurses Act 1969)(b), sections 7, 10, 22, 23, and 30 and of all other powers enabling them in that behalf, having consulted with the General Nursing Council for Scotland and the Northern Ireland Council for Nurses and Midwives, hereby make the following rules:—

Citation and interpretation

1.—(1) These rules may be cited as the Enrolled Nurses (Amendment) Rules 1976.

(2) In these rules “the principal rules” means the Enrolled Nurses Rules 1969(c), as amended(d).

(3) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(e), shall apply for the purposes of the interpretation of these rules as they apply for the purposes of the interpretation of an Act of Parliament.

Amendment of rule 5 of the principal rules

2.—(1) Rule 5 of the principal rules shall be amended in accordance with the following provisions of this rule.

(2) For paragraph (4) there shall be substituted the following paragraph:—

“(4) In respect of every institution, other than an institution vested in the Secretary of State or the Secretary of State for Wales, for which application is made to the Council for approval under paragraph (1) of this rule, there shall be paid to the Council by the persons responsible for its management the following fees, which shall be payable on the date of approval and on each anniversary of such date (hereinafter referred to as “the due date”):—

Institutions having not more than 100 persons undergoing training on the due date	...	£100 per annum
Institutions having more than 100 but not more than 200 persons undergoing training on the due date	£150 per annum
Institutions having more than 200 persons undergoing training on the due date	£200 per annum”.

(3) Paragraph (5) is hereby revoked.

Amendment of rule 12A of the principal rules

3. For rule 12A of the principal rules there shall be substituted the following rule:—

“12A. A person serving in the Royal Navy as a Naval Medical Branch Rating shall be treated as having completed the training required by rule 11

(a) 1957 c. 15. (b) 1969 c. 47. (c) S.I. 1969/1674 (1969 III, p. 5217).

(d) The relevant amending instrument is S.I. 1973/1077 (1973 II, p. 3215).

(e) 1889 c. 63.

of these rules for admission to the general part of the roll if he complies with the following conditions:—

- (a) he has—
 - (i) completed training as a Naval Medical Assistant and within a period of 104 weeks thereafter has commenced the training referred to in paragraph (b) of this rule; or
 - (ii) in the case of a person who completed training as a Naval Medical Assistant before the date of coming into operation of these rules his name is entered in the index of pupil nurses maintained in accordance with Rule 10 of these rules not later than 156 weeks after the date of coming into operation of these rules; and
- (b) he has completed 58 weeks training for admission to the general part of the roll in an approved institution in the Royal Navy, such period of training to be exclusive of any leave of absence.”

Addition of rule 12B to the principal rules

4. After rule 12A of the principal rules there shall be added the following rule:—

“12B. A person who has served or who has been qualified to serve in the Army as an army nurse class I (or army male nurse class I) shall be treated as having completed the training required by rule 11 of these rules for admission to the general part of the roll if her name is entered within a period of 26 weeks following her discharge from Army service in the index of pupil nurses maintained in accordance with rule 10 of these rules and since her name was so entered she has had 12 weeks nursing experience which the Council is satisfied is geriatric nursing experience.”

Amendment of rule 17 of the principal rules

5. For rule 17 of the principal rules there shall be substituted the following rule:—

“17.—(1) Subject to the provisions of this rule and to rules 18 and 19 of these rules, a person who has satisfied the requirements of rules 11, 13 or 15 of these rules shall be entitled to enter the examinations for admission to the parts of the roll held under rule 19 of these rules if she also satisfies the following conditions:—

- (a) that her name is in the index of pupil nurses kept under rule 10 of these rules; and
- (b) that she is honest and of good character and her conduct has been satisfactory during the period of training; and
- (c) that she has received instruction in each of the subjects contained in the appropriate syllabus of training described in Schedule 2 to these rules and has attained an adequate standard of proficiency; and
- (d) that she has deposited with the Registrar a certificate signed by an officer, acceptable to the Council, of the institution or institutions in which she was trained, verifying that the conditions specified in subparagraphs (a), (b) and (c) of this paragraph have been satisfied: provided that if a candidate fails the written section of an examination for a second time she may be required to undergo further training for such a period not exceeding 13 weeks as the Education Committee may decide, before being entitled to enter again for that section of the examination.

(2) No person shall enter for the written section of the examination for admission to the parts of the roll unless she has completed at least 78 weeks training, except where the period of training required under rules 11, 13 or 15 of these rules is reduced by rules 12, 14 or 16 thereof in which case entry shall not be made unless she has, or will have, completed that reduced period of training not later than 13 weeks after the last day of the month in which the written part of the examination is held.

(3) Subject to the provisions of paragraph (4) of this rule no person shall enter, or remain a candidate for, an examination for admission to any part of the roll if she has failed three times to pass any one of the tests in the practical section of that examination or has failed three times to pass the written section thereof.

(4) For the purposes of paragraph (3) of this rule a failure to pass the examination for any part of the roll maintained by the General Nursing Council for Scotland, or the Northern Ireland Council for Nurses and Midwives, shall be treated as a failure to pass the written section of the examination for admission to the corresponding part of the roll."

Revocation of rule 17A of the principal rules

6. Rule 17A of the principal rules is hereby revoked.

Amendment of rule 19 of the principal rules

7.—(1) Rule 19 of the principal rules shall be amended in accordance with the following provisions of this rule.

(2) For paragraphs (4) and (5) there shall be substituted the following paragraph:—

"(4) Subject to the provisions of paragraph (5) of this rule the examination for admission to each part of the roll shall consist of:—

(a) a practical section consisting of such number of tests of practical nursing ability conducted by an approved training institution in accordance with the requirements of the Council as are specified in Schedule 2A to these rules; and

(b) a written section."

(3) Paragraph (6) shall be renumbered "(5)".

Amendment of rule 32 of the principal rules

8. In rule 32 of the principal rules for "£2" there shall be substituted "£3".

Amendment of rule 66 of the principal rules

9. In rule 66 of the principal rules for "£4" there shall be substituted "£5".

Amendment of Schedule 2A to the principal rules

10. For Schedule 2A to the principal rules there shall be substituted the following Schedule:—

SCHEDULE 2A	Rule 19
TESTS OF PRACTICAL NURSING ABILITY	
The number of tests of practical nursing ability shall be as follows:—	
(1) In the case of a person to whom one of the following rules applies, that is to say, rules 11, 12(a)(ii), 12(b), 12(d), 12(e), 12A, 13, 14(a)(ii), 14(b), 15, 16(a)(ii) and 16(b)	3 tests

- (2) In the case of a person to whom one of the following rules applies, that is to say, rules 12(a)(i), 12(c), 14(a)(i), 14(c), 14(d), 16(a)(i), 16(c) and 16(d) 2 tests
- (3) In the case of a person to whom rule 12B applies ... 1 test”.

Amendment of Schedule 3 to the principal rules

11. In the Form of Notice set out in Schedule 3 to the principal rules for the words “determine whether your name should be removed from the roll” there shall be substituted the words “decide what disciplinary action, if any, should be taken”.

Transitional provision

12. The condition prescribed in rule 21(1)(b) of the principal rules as amended by the Enrolled Nurses (Amendment) Rules 1973(a) shall be deemed to be satisfied in the case of a person who in relation to an examination held before 1st November 1979 elects to enter the examination which was prescribed for admission to the part of the roll for mental nurses or for nurses for the mentally subnormal immediately before the coming into operation of these rules and passes that examination.

(L.S.)

N. Barry,
Chairman of the Council.

The seal of the General Nursing Council for England and Wales was hereunto affixed on 23rd May 1976.

Eve R. D. Bendall,
Registrar.

EXPLANATORY NOTE

(This Note is not part of the Instrument.)

The Rules approved by this Instrument amend the Nurses Rules 1969 and the Enrolled Nurses Rules 1969. The amendments include in particular:—

- (a) the introduction of a new basis for calculating the amount of annual fees payable by an approved training institution to the Council;
- (b) an amendment to the requirements for qualification as a teacher of nurses;
- (c) an amendment to the provisions enabling nurses in the Armed Forces to qualify for admission to the Roll;
- (d) an amendment to the Forms of Notice issued in disciplinary proceedings;
- (e) a variation in the amount of certain fees payable to the Council; and
- (f) some minor drafting and consequential amendments.

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