

SCHEDULE 4

Amendments to and revocations of subordinate legislation

PART 6

Miscellaneous updating and consequential amendments

Amendment of the Nursing and Midwifery Order 2001

- 38.** In the Nursing and Midwifery Order 2001(1)—
- (a) in article 5 (establishment and maintenance of register), in paragraph (3)(a), omit “the Conduct and Competence Committee in addition to”;
 - (b) in article 6A(2) (temporary annotations with regard to emergencies involving loss of human life or human illness etc.), in paragraph (5), for “subsection (2)” substitute “subsection (2)(a) and (b)”;
 - (c) in article 21 (Council’s functions in respect of fitness to practise, ethics and other matters), in paragraph (3), omit “standards or” and “the Conduct and Competence Committee in addition to”;
 - (d) in article 25 (Council’s power to require disclosure of information)—
 - (i) in paragraph (1), for “them in” substitute “the Council or any of its Practice Committees in” and for “a Practice Committee” substitute “the Council”, and
 - (ii) in paragraph (5), for “the Practice Committee in respect of the allegation with which it is dealing” substitute “a Practice Committee with regard to the person concerned”;
 - (e) in article 27 (the Conduct and Competence Committee), omit paragraph (a);
 - (f) in article 37(3) (appeals against Registrar’s decisions), in paragraph (5)(c), for paragraph (ii) substitute the following paragraph—
 - “(ii) a person who—
 - (aa) is not and never has been a registered nurse or midwife (and article 5(5) does not apply for these purposes),
 - (bb) is not and never has been a registered medical practitioner, and
 - (cc) does not hold qualifications which would entitle them to apply for registration as a registered nurse, a registered midwife or a registered medical practitioner; and”;
 - (g) in Schedule 1(4) (the Nursing and Midwifery Council and committees)—
 - (i) in paragraph 1B(1)(d), after “term of office” insert “, and the order may provide that the term is to be determined by whoever makes the appointment as chair, on appointment”, and
 - (ii) in paragraph 17, after sub-paragraph (1) insert the following sub-paragraph—
 - “(1A) Where the rules provide for one or more panels of members of a Practice Committee to perform functions of the Committee, the provision required by sub-

(1) [S.I. 2002/253](#).

(2) Inserted by [S.I. 2008/1485](#).

(3) There are no relevant amending instruments.

(4) Relevant amendments were made by [S.I. 2008/1485](#).

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

paragraph (1)(d) includes provision with regard to the quorum at meetings of those panels.”, and

(iii) in paragraph 18, omit sub-paragraphs (4), (9) and (11).