

2012 No. 2745

HEALTHCARE AND ASSOCIATED PROFESSIONS

**The Nursing and Midwifery Council (Constitution)
(Amendment) Order 2012**

Made - - - - *2nd November 2012*
Laid before Parliament *5th November 2012*
Coming into force - - *1st May 2013*

At the Council Chamber, Whitehall the 2nd day of November 2012

By the Lords of Her Majesty's Most Honourable Privy Council

Their Lordships make the following Order in exercise of the powers conferred by article 3(7A) of, and paragraph 1A and 1B of Schedule 1 to, the Nursing and Midwifery Order 2001(a).

Citation, commencement and interpretation

1.—(1) This Order is to be cited as the Nursing and Midwifery Council (Constitution) (Amendment) Order 2012.

(2) This Order comes into force on 1st May 2013.

(3) In this Order, “the NMC Constitution Order” means the Nursing and Midwifery Council (Constitution) Order 2008(b).

Amendments to the NMC Constitution Order

2. The NMC Constitution Order is amended as follows—

(a) in article 2, in both places where it occurs, for “7” substitute “6”;

(b) for paragraph (2) of article 3, substitute—

“(2) No member of the Council may hold office as a member of the Council for more than an aggregate of 8 years during any continuous period of 20 years.”; and

(c) in article 10, for “8” substitute “7”.

Transitional provisions: Council members in office

3.—(1) Subject to paragraph (2), the terms of office of all members of the Nursing and Midwifery Council in office on the date on which this Order comes into force are to come to an end on that date but this does not affect their eligibility for reappointment.

(a) S.I. 2002/253. Paragraph (7A) of article 3 and paragraphs 1A and 1B of Schedule 1 were inserted by article 2(1) of, and Schedule 1 to, S.I. 2008/1485.

(b) S.I. 2008/2553.

(2) If a new Chair of the Nursing and Midwifery Council is appointed after 29th March 2012 the term of office of that appointee will not be brought to an end by this Order.

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Nursing and Midwifery Council (Constitution) Order 2008 (S.I. 2008/2553) (“the 2008 Order”).

Article 2 of the 2008 Order provides for the size and composition of the Nursing and Midwifery Council. Article 2(1)(a) of this Order amends the size of the Council from 7 registrant and 7 lay members to 6 registrant and 6 lay members.

Article 3 of the 2008 Order sets out the terms of office that an individual member of the Council can serve. Article 2(1)(b) of this Order amends the maximum term of office that an individual can serve from a maximum of 6 years to a total of 8 years within any continuous 20 year period.

Article 10 of the 2008 Order sets the quorum for meetings of the Nursing and Midwifery Council. Article 2(1)(c) of this Order changes the quorum of Council meetings from 8 to 7 to reflect the new smaller Council size.

Article 3 of this Order contains transitional provisions that make clear that the changes to the size of the Nursing and Midwifery Council have the effect of bringing to an end the terms of office of all members of the Council who are in office when this Order comes into force except that of a Chair appointed after 29th March 2012. Members of the Council whose terms of office are brought to an end by this Order can be appointed by the Privy Council to the new smaller Council.

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