

## SCHEDULE

### The Nursing and Midwifery Council (Fitness to Practise) (Education, Registration and Registration Appeals) (Amendment) Rules 2014

## PART III

### Amendment of the Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules 2004

14. The Nursing and Midwifery (Education, Registration and Registration Appeals) Rules 2004(1) are amended as follows.

15. After rule 5 (application for admission to part of the register) insert—

#### **“Provision of information**

5A. The Registrar may request from any person such information as the Registrar may reasonably require for the purposes of determining whether, if the applicant’s application for admission to the register is accepted, there will be in force in relation to that applicant, an indemnity arrangement providing appropriate cover.”.

16. In rule 13(1), (renewal of registration)(2) after sub-paragraph (c), add—

“(d) such other documents, information or evidence as the Registrar may have reasonably requested for the purpose of verifying the information in, and determining the application for renewal.”.

17. After rule 13 insert—

#### **“Provision of information**

13A. The Registrar may request from any person such information as the Registrar may reasonably require for the purposes of determining whether, if the registrant’s registration is renewed, there will be in force in relation to that registrant, an indemnity arrangement providing appropriate cover.”.

18. In rule 14 (lapse of registration)(3) in paragraph (4) for “rule 12A or 13” substitute “rule 12A, 13 or 15A(4)”.

19. After rule 15 (readmission to the register) insert—

#### **“Payment of fees**

15A.—(1) A person may, with the agreement of the Registrar, pay any prescribed fee for—

- (a) registration as provided in rule 5 or rule 8;
- (b) retention as provided in rule 12A;
- (c) renewal as provided in rule 13;

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(1) These Rules are set out as a Schedule to [S.I. 2004/1767](#).

(2) Rule 13(1) was amended by rule 3(5)(a) of the Nursing and Midwifery Council (Education, Registration and Registration Appeals)(Amendment) Rules 2005 which are set out in the Schedule to [S.I. 2005/3354](#).

(3) Rule 14(4) was amended by rule 3(6)(a) of the Nursing and Midwifery Council (Education, Registration and Registration Appeals)(Amendment) Rules 2005 which are set out in the Schedule to [S.I. 2005/3354](#).

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- (d) readmission as provided in rule 15; or
- (e) restoration as provided in article 33 of the Order,

in such instalments and by such means of payment as the Registrar may determine.

(2) For the purpose of paragraph (1) the Registrar may determine—

- (a) the amount of each instalment and the date on which each instalment is to be paid (with the final instalment due on a date no later than 11 months beginning with the date on which the prescribed fee was due); and
- (b) that payment will be made by direct debit or by such other means of payment.

(3) Where it has been agreed in accordance with paragraph (1) that any prescribed fee will be paid in instalments—

- (a) the Registrar may make, retain, renew, readmit or restore a register entry once the first such instalment has been so paid; and
- (b) references in these Rules to an application being accompanied by the relevant fee, supported by payment of the appropriate fee, or payment of such a fee having been received, shall be construed as if they were references to a direct debit mandate (or such other form of written payment authorisation as the Registrar may determine), being received in respect of those fees.

(4) Where—

- (a) in accordance with this rule any prescribed fee is to be paid in instalments; and
- (b) following the payment of the first instalment and the making, retention, renewal readmission or restoration of a register entry, any subsequent instalment is not paid by the date on which it is due,

the Registrar will send a notice to the registrant stating that, if payment is not received within 14 days (beginning with the day on which the Registrar sent the notice) the registrant's name may be removed from the register, and if no such payment is made, the Registrar may remove the registrant's name from the register.”

**20.** In rule 16 (amendments to the Register)—

(a) after paragraph (1) insert—

“**1A.** A registrant must inform the Registrar—

- (a) if there is not, or will not be in force in relation to that registrant, appropriate cover under an indemnity arrangement; and
- (b) the date on which the appropriate cover under an indemnity arrangement ceased or will cease to be in force.”;

(b) in paragraph (2)(a) after “under paragraph (1)” insert “or paragraph (1A)”.

**21.** After rule 16 insert—

**“Evidence in connection with indemnity arrangements**

**16A.—**(1) The Registrar may, by notice to a registrant specifying a period within which the registrant must comply, request that the registrant provide—

- (a) evidence that there is, or will be in force in relation to the registrant, appropriate cover under an indemnity arrangement;
- (b) details of the nature and scope of the registrant's practice; and
- (c) the name and address of—

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- (i) any person, body or organisation by whom the registrant is employed, or intends to be employed as a nurse or midwife,
    - (ii) any person, body or organisation with whom the registrant has an arrangement, or intends to have an arrangement to provide services as a nurse or midwife.
  - (2) The Registrar may request such other documents and information as the Registrar may reasonably require for the purposes of verifying the evidence provided in accordance with paragraph (1).”
- 22.** In rule 25 (consideration by the Appeal Panel)(4)—
- (a) before paragraph (3)(a) insert—
    - “(aa) a person who is appointed to act as a chair of a Practice Committee in accordance with rule 7 of the Nursing and Midwifery Council (Midwifery and Practice Committees) (Constitution) Rules 2008(5) to act as chair of the Appeal Panel;”;
  - (b) omit paragraphs (3)(c) and (4).
- 23.** In Schedule 3 (application for admission to a part of the register)(6) after paragraph (h) add—
- “(i) details of the nature and scope of the applicant’s practice;
  - (j) the name and address of—
    - (i) any person, body or organisation by whom the applicant is employed, or intends to be employed as a nurse or midwife,
    - (ii) any person, body or organisation with whom the applicant has an arrangement to provide services as a nurse or midwife.”.
- 24.** In paragraph 1 of Schedule 4 (notice of renewal of registration)—
- (a) at the end of sub-paragraph (e) omit “and”;
  - (b) after sub-paragraph (f) add—
    - “(g) details of the nature and scope of the registrant’s practice; and
    - (h) the name and address of—
      - (i) any person, body or organisation by whom the registrant is employed, or intends to be employed as a nurse or midwife,
      - (ii) any person, body or organisation with whom the registrant has an arrangement to provide services as a nurse or midwife.”.

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(4) Rule 25 was amended by [S.I. 2009/1182](#), article 4(1), Schedule 4, Part 6, paragraph 41.

(5) These Rules are set out as a Schedule to [S.I. 2008/3148](#).

(6) Schedule 3 was amended by [S.I. 2007/3101](#), regulation 177(1) and (14).