

SCHEDULE 1

Amendments to the Nursing and Midwifery Order 2001

Amendment of article 44

30. In article 44 (offences), in paragraph (1)—

- (a) for “A person commits an offence” substitute “Subject to paragraph (1A), a person commits an offence”;
- (b) in sub-paragraph (c) after “nursing or midwifery” insert “or a qualification as a nursing associate”;
- (c) after paragraph (1), insert—

“(1A) Where the representations referred to in paragraph (1) relate to the nursing associates’ part of the register or a nursing associate qualification, or where a person uses the title of nursing associate when not entitled to, the offence referred to in that paragraph is committed only when those representations are made, or the title is used, in England.”;
- (d) in paragraph (2) for “A person commits an offence” substitute “Subject to paragraph (2A), a person commits an offence”;
- (e) after paragraph (2), insert—

“(2A) Where the representations referred to in paragraph (2) relate to the nursing associates’ part of the register or a nursing associate qualification, the offence referred to in that paragraph is committed only when those representations are made in England.”;
- (f) in paragraph (3) for “A person who fraudulently procures” substitute “Subject to paragraph (3A), a person who fraudulently procures”;
- (g) after paragraph (3), insert—

“(3A) Where under paragraph (3), a person fraudulently procures, or tries to procure, the making, amendment, removal or restoration of an entry in the nursing associates’ part of the register, the offence referred to in that paragraph is committed only if the fraudulent procurement, or attempted procurement, occurs in England.”.