EXPLANATORY MEMORANDUM

The Health Act 1999 (Consequential Amendments) (Nursing and Midwifery) (No. 2) Order of Council 2004 No.1860 (S.5)

This explanatory memorandum is laid before Parliament by Command of Her Majesty

The responsible Department is the Department of Health.

Description

1. This Instrument is an Order made by authority of the Secretary of State under section 63 of the Health Act 1999 and amends the National Health Service (Pharmaceutical Services) (Scotland) Regulations 1995. It amends the definitions of "independent nurse prescriber" and "supplementary prescriber" to replace an incorrect reference to the "Nursing and Midwifery Register", contained in article 43 of the Health Act 1999 (Consequential Amendments) (Nursing and Midwifery) Order 2004, with a reference to the "nurses' and midwives' professional register".

Matters of special interest to the Joint Committee on Statutory Instruments

2. None.

Legislative background

3. The Health Act 1999 (Consequential Amendments) (Nursing and Midwifery) Order 2004 was made as one of a number of instruments related to the implementation of the Nursing and Midwifery Order 2001 (S.I. 2002/253) which was made under section 60 of the Health Act 1999.

4. The Health Act 1999 (Consequential Amendments) (Nursing and Midwifery) Order 2004 made a number of amendments to primary and secondary legislation. There was an error in the amendment made to the National Health Service (Pharmaceutical Services) (Scotland) Regulations 1995 (as amended by S.S.I. 2003/296) which this Order is correcting.

The related instruments are the:

Nursing and Midwifery Council (Practice Committees) (Interim Constitution) Rules Order of Council 2003 (S.I. 2003/1738);

Nursing and Midwifery Council (Fees) Rules Order of Council 2004;

Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules Order of Council 2004;

Nursing and Midwifery Council (Fitness to Practise) Rules Order of Council 2004;

Nursing and Midwifery Council (Midwives) Rules Order of Council 2004;

Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2004;

Nursing and Midwifery Order 2001 (Legal Assessors) Order of Council 2004;

The Health Act 1999 (Consequential Amendments) (Nursing and Midwifery) Order of Council 2004;

European Nursing and Midwifery Qualifications Designation Order of Council 2004; and

Nursing and Midwifery Order 2001 (Transitional Provisions) Order of Council 2004 (this is not subject to Parliamentary procedure).

Extent

5. This Instrument extends to Scotland only.

Policy Background

6. The policy background is to ensure that the meaning of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 1995 is clear.

Impact

7. There are no identified costs either to the public or to the Exchequer arising from this Instrument. This Instrument is being issued free of charge to all known recipients of in the Health Act 1999 (Consequential Amendments) (Nursing and Midwifery) Order 2004.

Contact

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