STATUTORY INSTRUMENTS

1986 No. 1345

NURSES, MIDWIVES AND HEALTH VISITORS

The Nurses, Midwives and Health Visitors (Periodic Registration) Amendment Rules Approval Order 1986

Made - - -	31*st July* 1986
Coming into Operation	21*st August* 1986

In exercise of the powers conferred upon me by section 22(4) of the Nurses, Midwives and Health Visitors Act 1979(a), I hereby approve the rules made by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting and set out in the Schedule hereto.

This Order may be cited as the Nurses, Midwives and Health Visitors (Periodic Registration) Amendment Rules Approval Order 1986 and shall come into operation on 21st August 1986.

Norman Fowler,
One of Her Majesty's Principal Secretaries of State.

31st July 1986.

(a) 1979 c.36.

SCHEDULE

The United Kingdom Central Council for Nursing, Midwifery and Health Visiting

The Nurses, Midwives and Health Visitors Act 1979

The United Kingdom Central Council for Nursing, Midwifery and Health Visiting, in exercise of the powers conferred on it by the following sections of the Nurses, Midwives and Health Visitors Act 1979(**a**), namely:—

Section 2(3)

Section 10(3)

Section 11

Section 22

and of all other powers enabling it in that behalf having, in accordance with section 22(3) of the Act consulted the National Boards and representatives of groups likely to be affected by these rules, hereby makes the following rules:—

Citation and interpretation

1.— (1) These rules may be cited as the Nurses, Midwives and Health Visitors (Periodic Registration) Amendment Rules 1986.

(2) In these rules "the principal rules" means the Nurses, Midwives and Health Visitors Rules 1983(**b**).

(3) Any reference in these rules to a Part of the register is a reference to the Part determined in accordance with the Nurses, Midwives and Health Visitors (Parts of the Register) Order 1983(**c**)

(4) The Interpretation Act 1978(**d**) applies to the interpretation of these rules as it applies to the interpretation of an Act of Parliament.

Amendment of principal rules

2.— (1) The principal rules shall be amended in accordance with the following provisions of these rules.

(2) In rule 6 (Admission to Part or Parts of the register following the successful completion of an approved course of training in the United Kingdom)—

(a) for paragraph 1*(b)* substitute—

"(1)*(b)* who has paid the registration fee required by the Council; and"; and

(b) at the end of rule 6(1) after the words "the register" add the words "for a period of three years.".

(**a**) 1979 c.36.
(**b**) Approved by S.I. 1983/873.
(**c**) S.I. 1983/667.
(**d**) 1978 c.30.

(3) For rule 9 (Registration renewable from year to year) there shall be substituted the following rule—

"*Registration renewable periodically*

9.— (1) This rule applies to registration in all Parts of the register of any person who is registered in accordance with the Nurses, Midwives and Health Visitors (Parts of the Register) Order 1983(**a**) on or after 1st January 1987 and who wishes to retain her name in any or all of those Parts of the register; and registration to which this rule applies shall be subject to renewal every three years in accordance with the following provisions of this rule.

(2) The period of three years (in this rule called "the registration period") shall expire at the end of each three year period after either first registration or the third anniversary of any subsequent re-registration or the third anniversary of any restoration to the register. The application of the registration period to each nurse, midwife and health visitor shall be notified to each such nurse, midwife and health visitor on first registration and any subsequent re-registration or restoration.

(3) A person whose name is included in any or all Parts of the register for any registration period and whose name has not been removed therefrom by virtue of any proceedings under the Nurses, Midwives and Health Visitors (Professional Conduct) Rules 1983(**b**) or any amendment thereof or for any other reason shall be entitled, subject to the next following sub-paragraph of this rule, to have her name retained in the same Part or Parts of the register for the following registration period.

(4) In respect of the retention of the name of a person in any Part or all Parts of the register for any registration period there shall be paid to the Council by such person on or before the last day of the immediately preceding registration period such retention fee as the Council may with the approval of the Secretary of State from time to time determine for that Part or those Parts. The Registrar shall, not less than 45 days before the end of the current registration period for each person in any Part or Parts of the register send to the registered address of each registered person a written notice informing her of the amount of the fee due from her in respect of the following registration period and intimate that if she should fail to pay the fee by the last day of the month immediately preceding the beginning of the next registration period her name, subject to sub-paragraph (9) of this rule, shall be removed automatically from the register.

(5) A person whose name has been removed from any Part or Parts of the register in the terms of paragraph (4) of this rule shall be entitled to make an application to the Registrar for her name to be restored to that Part or those Parts of the register from which her name has been removed subject to any guidelines which the Council may from time to time approve. Subject to such guidelines her application shall be accompanied by a written explanation of the reasons for her failure to pay the appropriate fee or fees within the time specified in the notice referred to in paragraph (4) of this rule. If the Registrar shall so direct she shall also submit such references as to her conduct,

(**a**) S.I. 1983/667.
(**b**) S.I. 1983/887.

knowledge, experience or character as the Registrar may reasonably require in support of such explanation and the Registrar shall be entitled to make further enquiries of such person or of her referees, and in the case of midwives make such direction as to refresher courses, as they may deem fit.

(6) If the Registrar is satisfied in the light of such explanation and of such references and inquiries (if any) that it is reasonable that the name of such person shall be restored to the relevant Part or Parts of the register the Registrar shall grant her application and restore her name to the relevant Part or Parts of the register for a period of not more than three years as from the date on which she shall pay the required fee of:—

(a) an amount of not less than the fee payable for the registration period current at the date of payment or the appropriate part of it except that where the Registrar is satisfied there is special reason she may also require to be paid all sums due or which would have become payable since the last payment of any fees if her name had not been removed from the register;

and

(b) a restoration fee of an amount to be determined by the Council with the approval of the Secretary of State.

(7) On the introduction of this rule or as soon thereafter as possible the Council shall determine the dates by which the initial fees shall be paid in accordance with the next following rule and the Registrar shall give not less than 45 days notice of such dates, and shall otherwise follow the procedures laid down in this rule.

(8) Notices in accordance with sub-paragraph (7) of this rule will be sent wherever possible to all persons on the register requiring payment of a registration fee based on their original registration date. A proportion will be required to pay a fee in 1987 for three years, a further proportion (hereinafter called "the second group") will be required to pay a pro rata fee for one year, and the remaining proportion (hereinafter called "the third group") will be required to pay a pro rata fee for two years. Thereafter in 1988 the second group will be required to pay a fee for the ensuing registration period, and in 1989 the third group will be required to pay a fee for the ensuing registration period.

(9) Where the Registrar knows that a person who has not paid the fee due is the subject of investigation or proceedings under section 6 or Section 12 of the Act she shall not remove the person from the register until such time as the investigation or proceedings have been determined.".

(4) In rule 10 (Limitation on registration or alteration of the register) there shall be substituted for paragraph (1) the following—

"(1)*(a)* Where a person has been restored to the register following removal therefrom by a determination of the Health Committee and the Health Committee in determining the proceedings for restoration has further determined that this rule should apply, then her registration shall lapse after a period of one year but shall be renewable for a period not exceeding three years in accordance with rule 9 of these rules unless at that date investigations or proceedings for the removal of her name have started in accordance with rules made under Section 12 of the Act.

(b) Where a person shall reach her statutory retirement age during any triennial period she may make application to the Registrar only to be registered until the date of her statutory retirement age and the Registrar may register her for such limited period and abate the fee accordingly.".

GIVEN under the Official Seal of the
UNITED KINGDOM CENTRAL COUNCIL
FOR NURSING MIDWIFERY AND HEALTH
VISITING this twenty first day of July 1986.

Audrey Emerton,
Chairman
M. Storey,
Registrar

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

The Rules approved by this Order, and made by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting, amend the rules approved by the Nurses, Midwives and Health Visitors Rules Approval Order 1983 ("the 1983 Rules") only in relation to registration periods.

The rules amend those parts of the 1983 Rules concerning registration which made separate and differing provision concerning this matter in relation to Scotland and the remainder of the United Kingdom and provide instead that throughout the United Kingdom registration in the register of nurses, midwives and health visitors maintained by the Central Council under section 10(1) of the Nurses, Midwives and Health Visitors Act 1979 shall be renewable periodically.

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