

## SCHEDULE 4

### Amendments to and revocations of subordinate legislation

## PART 6

### Miscellaneous updating and consequential amendments

#### **Amendment of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975**

**37.** In Schedule 1 to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(1) (excepted professions, offices, employments, work and occupations)—

(a) in Part 1 (professions), for paragraph 4 substitute the following paragraph—

“4. Dentist, registered dental care professional.”; and

(b) in Part 4 (interpretation), in the appropriate place in the alphabetical order insert the following definition—

““registered dental care professional” has the meaning given by section 53 of the Dentists Act 1984;”.

#### **Amendment of the Nursing and Midwifery Order 2001**

**38.** In the Nursing and Midwifery Order 2001(2)—

(a) in article 5 (establishment and maintenance of register), in paragraph (3)(a), omit “the Conduct and Competence Committee in addition to”;

(b) in article 6A(3) (temporary annotations with regard to emergencies involving loss of human life or human illness etc.), in paragraph (5), for “subsection (2)” substitute “subsection (2)(a) and (b)”;

(c) in article 21 (Council’s functions in respect of fitness to practise, ethics and other matters), in paragraph (3), omit “standards or” and “the Conduct and Competence Committee in addition to”;

(d) in article 25 (Council’s power to require disclosure of information)—

(i) in paragraph (1), for “them in” substitute “the Council or any of its Practice Committees in” and for “a Practice Committee” substitute “the Council”, and

(ii) in paragraph (5), for “the Practice Committee in respect of the allegation with which it is dealing” substitute “a Practice Committee with regard to the person concerned”;

(e) in article 27 (the Conduct and Competence Committee), omit paragraph (a);

(f) in article 37(4) (appeals against Registrar’s decisions), in paragraph (5)(c), for paragraph (ii) substitute the following paragraph—

“(ii) a person who—

(aa) is not and never has been a registered nurse or midwife (and article 5(5) does not apply for these purposes),

(bb) is not and never has been a registered medical practitioner, and

(1) [S.I. 1975/1023](#); the relevant amending instrument is [S.I. 2002/441](#).

(2) [S.I. 2002/253](#).

(3) Inserted by [S.I. 2008/1485](#).

(4) There are no relevant amending instruments.

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- (cc) does not hold qualifications which would entitle them to apply for registration as a registered nurse, a registered midwife or a registered medical practitioner; and”;
- (g) in Schedule 1(5) (the Nursing and Midwifery Council and committees)—
  - (i) in paragraph 1B(1)(d), after “term of office” insert “, and the order may provide that the term is to be determined by whoever makes the appointment as chair, on appointment”, and
  - (ii) in paragraph 17, after sub-paragraph (1) insert the following sub-paragraph—
    - “(1A) Where the rules provide for one or more panels of members of a Practice Committee to perform functions of the Committee, the provision required by sub-paragraph (1)(d) includes provision with regard to the quorum at meetings of those panels.”, and
  - (iii) in paragraph 18, omit sub-paragraphs (4), (9) and (11).

#### **Amendment of the Representation of the People (England and Wales) Regulations 2001**

**39.** In regulation 53 of the Representation of the People (England and Wales) Regulations 2001 (additional requirements for applications for a proxy vote for a definite or indefinite period on grounds of blindness or any other disability), in paragraph (2), for sub-paragraph (e) substitute the following sub-paragraph—

- “(e) a registered pharmacist as defined in article 3(1) of the Pharmacists and Pharmacy Technicians Order 2007;”.

#### **Amendment of the Representation of the People (Scotland) Regulations 2001**

**40.** In regulation 53 of the Representation of the People (Scotland) Regulations 2001 (additional requirements for applications for a proxy vote for a particular or indefinite period on grounds of blindness or any other disability), in paragraph (2), for sub-paragraph (e) substitute the following sub-paragraph—

- “(e) a registered pharmacist as defined in article 3(1) of the Pharmacists and Pharmacy Technicians Order 2007;”.

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

**41.** In Rule 25 of the Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules 2004(6) (consideration by Appeal Panel), in paragraph (3), for sub-paragraph (b) substitute the following sub-paragraph—

- “(b) a person who—
  - (i) is not and never has been a registered nurse or midwife (and article 5(5) of the Order does not apply for these purposes),
  - (ii) is not and never has been a registered medical practitioner, and
  - (iii) does not hold qualifications which would entitle them to apply for registration as a registered nurse, a registered midwife or a registered medical practitioner; and”.

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(5) Relevant amendments were made by [S.I. 2008/1485](#).

(6) Scheduled to [S.I. 2004/1767](#).

#### **Amendment of the National Assembly for Wales (Representation of the People) Order 2007**

**42.** In the National Assembly for Wales (Representation of the People) Order 2007, in Schedule 1 (absent voting at Assembly elections), in paragraph 4(2), for paragraph (e) substitute the following paragraph—

- “(e) a registered pharmacist as defined in article 3(1) of the Pharmacists and Pharmacy Technicians Order 2007;”.

#### **Amendment of the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007**

**43.** In regulation 8 of the Representation of the People (Absent voting at Local Government Elections) (Scotland) Regulations 2007 (additional requirements for applications for a proxy vote for a particular or indefinite period on grounds of blindness or other disability), in paragraph (2), for sub-paragraph (e) substitute the following sub-paragraph—

- “(e) a registered pharmacist as defined in article 3(1) of the Pharmacists and Pharmacy Technicians Order 2007;”.

#### **Amendment of the Scottish Parliament (Elections etc. Order) 2007**

**44.** In the Scottish Parliament (Elections etc. Order) 2007, in Schedule 3 (absent voting), in paragraph 3(2), for paragraph (e) substitute the following paragraph—

- “(e) a registered pharmacist as defined in article 3(1) of the Pharmacists and Pharmacy Technicians Order 2007;”.

#### **Amendment of the Royal Pharmaceutical Society of Great Britain (Registration) Rules 2007**

**45.** In the Royal Pharmaceutical Society of Great Britain (Registration) Rules 2007, in rule 6 (application for registration in the register of pharmacists)—

- (a) in paragraph (3)—
  - (i) in sub-paragraph (b)(i), after “civil partnership” insert “(or a true copy of it, certified by a notary)”,
  - (ii) in sub-paragraph (b)(ii), after “change of name” insert “(or a true copy of it, certified by a notary)”,
  - (iii) in sub-paragraph (c)(ii)(aa) for “certified true copy of it” substitute “true copy of it, certified by a notary”, and
  - (iv) in sub-paragraph (d)(ii), for “the Registrar” substitute “a notary”; and
- (b) in paragraph (4)(b), after “certified” insert “(by a notary)”.