

**2011 No. 2297**

**HEALTH CARE AND ASSOCIATED PROFESSIONS**

**NURSES AND MIDWIVES**

**The Nursing and Midwifery Council (Fees and Education,  
Registration and Registration Appeals) (Amendment) Rules  
Order of Council 2011**

*Made* - - - - - *13th September 2011*

*Laid before Parliament* *10th October 2011*

*Coming into force* - - - *7th November 2011*

At the Council Chamber, Whitehall, the 13th day of September 2011

By the Lords of Her Majesty's Most Honourable Privy Council

The Nursing and Midwifery Council has made the Nursing and Midwifery Council (Fees and Education, Registration and Registration Appeals) (Amendment) Rules 2011 as set out in the Schedule to this Order, in exercise of the powers conferred by articles 7(1) and (2) and 47(2) of the Nursing and Midwifery Order 2001(a).

In accordance with articles 7(3) and 47(3) of the Nursing and Midwifery Order 2001 the Nursing and Midwifery Council has consulted representatives of groups of persons who appear likely to be affected by the proposed rules.

In accordance with articles 47(1) and 48 of the Nursing and Midwifery Order 2001 such Rules shall not come into force until approved by order of the Privy Council.

**Citation and commencement**

1. This Order may be cited as the Nursing and Midwifery Council (Fees and Education, Registration and Registration Appeals) (Amendment) Rules Order of Council 2011 and comes into force on 7th November 2011.

**Council approval**

2. Their Lordships, having taken these Rules into consideration, are pleased to and do approve them.

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(a) SI 2002/253; to which there are amendments not relevant to this Order.

*Judith Simpson*  
Clerk of the Privy Council

## SCHEDULE

### THE NURSING AND MIDWIFERY COUNCIL (FEES AND EDUCATION, REGISTRATION AND REGISTRATION APPEALS) (AMENDMENT) RULES 2011

The Nursing and Midwifery Council makes the following Rules in exercise of the powers conferred by articles 7(1) and (2), and 47(2) of the Nursing and Midwifery Order 2001(a).

The Nursing and Midwifery Council has consulted in accordance with articles 7(3) and 47(3) of that Order.

#### Citation and commencement

1. These Rules may be cited as the Nursing and Midwifery Council (Fees and Education, Registration and Registration Appeals) (Amendment) Rules 2011 and shall come into force on 7th November 2011.

#### Amendments to the Nursing and Midwifery Council (Fees) Rules 2004

2. In rule 3 (fees) of the Nursing and Midwifery Council (Fees) Rules 2004(b), for the table, substitute—

<i>“Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
(a)	an application for registration where the applicant is relying on article 13(1)(a), (b), (c), (e) or (f) of the Order	£76
(b)	an application for registration where the applicant is relying on article 13(1)(d) of the Order	£109
(c)	an evaluation of the information where the applicant for registration is relying on article 13(1)(c) or (d) of the Order	£140
(d)	an evaluation of the information where the applicant for registration is relying on article 13(1)(b), (e) or (f) of the Order	£110
(e)	an application for renewal of registration at the end of a registration period	£76
(f)	an application for readmission or restoration to the register	£76
(g)	an application in connection with entering on the register a registrable qualification made separately from an application mentioned in (a), (b), (e) or (f) above	£23
(h)	an application for entering on the register a recordable qualification	£25
(i)	a retention of registration	£76”

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

3. In the Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules 2004(c), for rule 8, substitute—

(a) SI 2002/253; to which there are amendments not relevant to these Rules.

(b) Scheduled to SI 2004/1654, as amended by SI 2005/3353, SI 2007/1885, and 2007/3101.

(c) Scheduled to SI 2004/1767, Rule 8 of which has been amended by SI 2007/3101 (see regulation 177(7)).

**“Applications for registration which are unsuccessful**

**8.** Where an application for admission to the register is made under article 13(1)(b), (c), (d), (e) or (f) of the Order and is refused—

- (a) the application will be retained until the time for making an appeal, set out in rule 20, has elapsed;
- (b) the applicant will not be entitled to any refund of the fee paid in accordance with rule 3(c) or (d) of the Fees Rules;
- (c) the applicant may make a new application for registration after the period for an appeal set out in rule 20 has elapsed, and any such application must be accompanied by the relevant fee, as set out in rule 3(c) or (d) of the Fees Rules.”

Given under the official seal of the Nursing and Midwifery Council this 21st day of July 2011

*Tony Hazell*  
Chair

*Dickon Weir-Hughes*  
Chief Executive and Registrar

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order, made under the Nursing and Midwifery Order 2001 (the ‘Order’), approves the Nursing and Midwifery Council (Fees and Education, Registration and Registration Appeals) (Amendment) Rules 2011 (the ‘Rules’) made by the Nursing and Midwifery Council. The Rules amend the Nursing and Midwifery Council (Fees) Rules 2004 and the Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules 2004.

Rule 1 provides for citation and for the Rules to come into force on 7th November 2011.

Rule 2 amends rule 3 of the Nursing and Midwifery Council (Fees) Rules 2004 by introducing a fee of £110 for the evaluation of the information provided by applicants seeking registration under article 13(1)(b), (e) or (f) of the Order.

Rule 3 amends rule 8 of the Nursing and Midwifery Council (Education, Registration and Registration Appeals) Rules 2004, which relates to retention of applications and new applications where an application has been unsuccessful. It also makes provision in respect of fees in such circumstances. This rule previously applied only to applicants seeking registration under article 13(1)(d) of the Order and is now also extended to applicants seeking registration under 13(1)(b), (c), (e) or (f) of the Order.

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