1983 No. 117

NURSES, MIDWIVES AND HEALTH VISITORS

The United Kingdom Central Council for Nursing, Midwifery and Health Visiting (Legal Assessors) Order (Northern Ireland) 1983

Made	*12th May 1983*
Coming into operation . . .	*1st July 1983*

I, THE RIGHT HONOURABLE ROBERT LYND ERSKINE, BARON LOWRY, Lord Chief Justice of Northern Ireland, in exercise of the powers conferred on me by section 12(5) of, paragraph 4 of Schedule 3 and paragraph 2 of Schedule 6 to, the Nurses, Midwives and Health Visitors Act 1979(a), hereby make the following Order:—

1.—(1) This Order may be cited as the United Kingdom Central Council for Nursing, Midwifery and Health Visiting (Legal Assessors) Order (Northern Ireland) 1983 and shall come into operation on 1st July 1983.

(2) In this Order, unless the context otherwise requires:—

"legal assessor" means an assessor appointed under paragraph 3(1) of Schedule 3 to the Nurses, Midwives and Health Visitors Act 1979;

"the committee" means any committee constituted by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting under section 12(2) of the Nurses, Midwives and Health Visitors Act 1979;

"the Council" means the United Kingdom Central Council for Nursing, Midwifery and Health Visiting.

2. It shall be the duty of the legal assessor to be present at all proceedings before the Council or the committee and to advise on any questions of law arising which may be referred to him by the Council or the committee.

3. It shall be the duty of the legal assessor to inform the Council or the committee forthwith of any irregularity in the conduct of proceedings before the Council or the committee which may come to his knowledge and advise them of his own motion where it appears to him that, but for such advice, there is a possibility of a mistake of law being made.

4. The legal assessor's advice to the Council or the committee in connection with proceedings before it may be given either in the presence of the parties or their representatives or in private, but if he gives such advice in private the legal assessor must inform the parties or their representatives, as soon as possible, of the advice so given, including any question by the Council or the committee to which the advice is a response, and such information shall be recorded and a copy of the record shall be given to every party or representative.

5. If on any occasion the Council or the committee do not accept the advice of a legal assessor, a record shall be made of any question referred to him, of the advice given and of the refusal to accept it (together with the reasons for such refusal) and a copy of the record shall be given to every party, or person representing a party, to the proceedings before the Council or the committee.

(a) 1979 c. 36