

Status: Point in time view as at 01/01/2009.

Changes to legislation: There are currently no known outstanding effects for the Health Act 1999, Cross Heading: Interpretation and application. (See end of Document for details)

SCHEDULES

SCHEDULE 3

REGULATION OF HEALTH CARE AND ASSOCIATED PROFESSIONS

Interpretation and application

10 In this Schedule—

[^{F1}“dental practitioner” means a person registered in the dentists register under the Dentists Act 1984,

“enactment” means an enactment contained in, or in an instrument made under—

- (a) an Act of Parliament,
- (b) an Act of the Scottish Parliament,
- (c) a Measure or Act of the National Assembly for Wales, or
- (d) Northern Ireland legislation,

“functions” includes powers and duties,

“medical practitioner” means a registered medical practitioner as defined by Schedule 1 to the Interpretation Act 1978,]

“Order” means an Order in Council under section 60,

“regulatory body”, in relation to any profession, means the body (or main body) responsible for the regulation of the profession,

^{F2}

Textual Amendments

F1 Sch. 3 para. 10: definitions inserted (1.10.2008) by [Health and Social Care Act 2008 \(c. 14\)](#), ss. 111, 170(3), [Sch. 8 para. 8\(a\)](#); S.I. 2008/2497, [art. 3\(b\)\(iii\)](#)

F2 Words in Sch. 3 para. 10 omitted (1.1.2009) and repealed (prosp.) by virtue of [Health and Social Care Act 2008 \(c. 14\)](#), ss. 111, 166, 170(3), [Sch. 8 para. 8\(b\)](#), [Sch. 15 Pt. 2](#); S.I. 2008/3244, [art. 3\(a\)\(c\)\(iii\)](#)

11 (1) The powers conferred by section 60 may be exercised so as to regulate a profession which is not regulated by any enactment (whether established before or after the passing of this Act).

(2) References to regulation, in relation to a profession, in that section and this Schedule include—

- (a) the regulation of persons seeking admission to practice or who were, but are no longer, allowed to practise as members of the profession,
- (b) the regulation of activities carried on by persons who are not members of the profession but which are carried on in connection with the practice of the profession,
- (c) in the case of the profession of medical practitioner, the regulation of the qualifications or experience required for a medical practitioner to [^{F3}perform

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- primary medical services under [^{F4}Part 4 of the National Health Service Act 2006 or Part 4 of the National Health Service (Wales) Act 2006]],
- (d) in the case of the profession of dental practitioner, the regulation of the qualifications or experience required for a dental practitioner to [^{F5}perform primary dental services under [^{F6}Part 5 of the National Health Service Act 2006 or Part 5 of the National Health Service (Wales) Act 2006]].

(3) ^{F7}

Textual Amendments

- F3** Words in Sch. 3 para. 11(2)(c) substituted (1.4.2004 for E.W.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 184, 199, [Sch. 11 para. 67\(a\)](#); S.I. 2004/288, [art. 5\(2\)\(x\)](#) (as amended by S.I. 2004/866, [art. 2](#)); S.I. 2004/480, [art. 4\(2\)\(bb\)](#)
- F4** Words in Sch. 3 para. 1(2)(c) inserted (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), ss. 111, 170(3), [Sch. 8 para. 9\(a\)](#); S.I. 2008/3244, [art. 3\(a\)\(c\)\(iii\)](#)
- F5** Words in Sch. 3 para. 11(2)(d) substituted (1.4.2006) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 184, 199, [Sch. 11 para. 67\(b\)](#); S.I. 2005/2925, arts. 1(3), [10\(2\)\(l\)](#)
- F6** Words in Sch. 3 para. 1(2)(d) inserted (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), ss. 111, 170(3), [Sch. 8 para. 9\(b\)](#); S.I. 2008/3244, [art. 3\(a\)\(c\)\(iii\)](#)
- F7** Sch. 3 para. 11(3) repealed (1.4.2006) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 196, 199, [Sch. 14 Pt. 4](#); S.I. 2005/2925, arts. 1(3), [11\(2\)\(p\)](#);

Commencement Information

- I1** Sch. 3 para. 11 wholly in force, see s. 67(1) and [S.I. 2000/779](#), [art. 2\(1\)](#)

- 12 (1) The powers conferred by section 60 extend to the regulation of—
- (a) the profession regulated by the ^{M1}Pharmacy (Northern Ireland) Order 1976, and
- (b) activities carried on by persons who are not members of that profession but which are carried on in connection with the practice of that profession,
- only in relation to the matters dealt with in sections 80 to 83 of the ^{M2}Medicines Act 1968.
- (2) But an Order may not provide for any function conferred by any of those sections on the Statutory Committee to be exercised, in relation to Northern Ireland, otherwise than by the committee appointed under Article 19 of the Pharmacy (Northern Ireland) Order 1976.

Marginal Citations

- M1** [S.I. 1976/1213 \(N.I.22\)](#).
- M2** [1968 c.67](#).

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