



Health and Social Care Act 2008

2008 CHAPTER 14

PART 2

REGULATION OF HEALTH PROFESSIONS AND HEALTH AND SOCIAL CARE WORKFORCE

The Office of the Health Professions Adjudicator

109 OHPA rules: supplementary

- (1) This section applies to the power of the OHPA to make rules under any of sections 100, 101, 103, 104, 105 and 107.
- (2) The power may be exercised—
 - (a) so as to make different provision for different cases or different classes of case or different provision in respect of the same case or class of case for different purposes of this Act,
 - (b) either in relation to all cases to which the power extends, or in relation to all those cases subject to specified exceptions, or
 - (c) so as to make any supplementary, incidental, consequential, transitional, transitory or saving provision which the OHPA considers necessary or expedient.
- (3) Before making rules the OHPA must consult—
 - (a) the Council for Healthcare Regulatory Excellence,
 - (b) if the rules affect the profession regulated by the Medical Act 1983, the General Medical Council and any other bodies which appear to the OHPA to represent that profession,
 - (c) if the rules affect the professions regulated by the Opticians Act 1989, the General Optical Council and any other bodies which appear to the OHPA to represent those professions,
 - (d) bodies which appear to the OHPA to represent the interests of patients, and
 - (e) such other persons as the OHPA considers appropriate.

Status: This is the original version (as it was originally enacted).

- (4) Rules do not come into force until they have been approved by order of the Privy Council.
- (5) The Privy Council may approve rules—
 - (a) as submitted to them, or
 - (b) subject to such modifications as appear to them to be necessary.
- (6) Where the Privy Council propose to approve rules subject to modifications, they must—
 - (a) notify the OHPA of the modifications they propose to make, and
 - (b) consider any observations which the OHPA may make on the modifications.