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## SCHEDULES

PROSPECTIVE

### SCHEDULE 15

Sections 230 and 231

#### PART 7: CONSEQUENTIAL AMENDMENTS AND SAVINGS

##### PART 1

#### ABOLITION OF THE GENERAL SOCIAL CARE COUNCIL

##### *Amendments to the Care Standards Act 2000 (c. 14)*

- 1 The Care Standards Act 2000 is amended as follows.
- 2 In section 55(3)(g) (power to treat persons on certain social work courses as social care workers)—
  - (a) for “a Council” substitute “the Welsh Council”, and
  - (b) after “section 63” insert “, or by the Health and Care Professions Council under article 15 of the Health and Social Work Professions Order 2001,”.
- 3 In section 56 (register of social care workers etc.)—
  - (a) in subsection (1), for “Each Council” substitute “The Welsh Council”, and
  - (b) in subsection (4), for “the Council” substitute “the Welsh Council”.
- 4 In section 57 (applications for registration), in subsection (1), for “a Council” substitute “the Welsh Council”.
- 5 In section 58 (grant or refusal of registration), in subsection (1) for “the Council” substitute “the Welsh Council”.
- 6 In section 58A (visiting social workers from relevant European States)—
  - (a) in subsections (3) and (7), for “a Council” substitute “the Welsh Council”, and
  - (b) in subsection (6), for “a Council, that” substitute “the Welsh Council, the”.
- 7 In section 59 (removal etc. from register), in subsection (1), for “Each Council” substitute “The Welsh Council”.
- 8 In section 60 (rules about registration), for “A Council” substitute “The Welsh Council”.
- 9 In section 61 (offence relating to use of title “social worker” etc.)—
  - (a) in subsection (1), after “a person” insert “in Wales”,
  - (b) in subsection (2)(a), for “a Council” substitute “the Welsh Council”, and
  - (c) in subsection (2)(b), after “the law of” insert “England and Wales so far as applying in relation to England,”.

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- 10 In section 62 (codes of practice)—
- (a) in subsection (1), for “Each Council” substitute “The Welsh Council”,
  - (b) in subsections (3), (4) and (6), for “a Council” substitute “the Council”, and
  - (c) in subsection (5), after “Local authorities” insert “in Wales”.
- 11 In section 63 (approval of courses etc.)—
- (a) in subsection (1), for “Each Council” substitute “The Welsh Council”, and
  - (b) in subsection (4), for “A Council” substitute “The Council”.
- 12 In section 64 (qualifications gained outside Council's area)—
- (a) in subsection (A1), for “a Council” substitute “the Welsh Council”,
  - (b) omit subsection (1), and
  - (c) for the title substitute “Qualifications gained outside the Welsh Council's area”.
- 13 In section 65(1) (power to make rules requiring registered persons to undertake further training), for “A Council” substitute “The Welsh Council”.
- 14 In section 66 (visitors for certain social work courses)—
- (a) in subsection (1), for “A Council” substitute “The Welsh Council”, and
  - (b) in subsection (3), for “a Council” substitute “the Council”.
- 15 In section 67 (functions of the appropriate Minister)—
- (a) in subsection (2), for “a Council” substitute “the Welsh Council”, and
  - (b) in subsection (5), omit paragraph (a) (and the “or” following it).
- 16 In section 68 (appeals to the Tribunal), in subsections (1) and (1A), for “a Council” substitute “the Welsh Council”.
- 17 In section 69 (publication etc. of register), in subsection (1), for “A Council” substitute “The Welsh Council”.
- 18 Omit section 70 (abolition of the Central Council for Education and Training in Social Work).
- 19 In section 71 (rules), in subsections (1), (2), (3A) and (4), for “a Council” substitute “the Welsh Council”.
- 20 In section 113 (default Ministerial powers), omit subsection (1).
- 21 In section 114 (schemes for the transfer of staff), in subsection (1), omit “, 70”.
- 22 In section 118 (orders and regulations), in subsection (4), omit the words from “; and” to the end.
- 23 In section 121 (13) (index of defined expressions)—
- (a) omit the entry for “CCETSW”,
  - (b) omit the entry for references to the Council, the English Council and the Welsh Council, and
  - (c) at the end insert—
- 
- |                    |              |
|--------------------|--------------|
| “the Welsh Council | Section 54”. |
|--------------------|--------------|
- 
- 24 In section 122 (commencement), omit “section 70(2) to (5) and”.
- 25 In section 123 (extent), omit subsection (3).

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- 26 Schedule 1 (the Care Councils) is amended as follows.
- 27 Omit paragraph 1 (introductory).
- 28 In paragraph 2 (status)—
- (a) for “An authority” substitute “The Welsh Council”, and
  - (b) for “an authority's” substitute “the Council's”.
- 29 In paragraph 3(1) (general powers), for “the Secretary of State, an authority” substitute “the Welsh Ministers, the Welsh Council”.
- 30 In paragraph 4 (general duty), for “an authority” substitute “the Welsh Council”.
- 31 For paragraph 5 (membership)—
- (a) for “Each authority” substitute “The Welsh Council”, and
  - (b) for “the Secretary of State” substitute “the Welsh Ministers”.
- 32 In paragraph 6 (appointment, procedure etc.)—
- (a) for “The Secretary of State” substitute “The Welsh Ministers”,
  - (b) in paragraph (a), for “an authority” substitute “the Welsh Council”,
  - (c) in paragraphs (b), (c) and (d), (in the case of paragraph (d), in each place it appears) for “an authority” substitute “the Council”, and
  - (d) in paragraph (c), for “the authority” substitute “the Council”.
- 33 (1) Paragraph 7 (remuneration and allowances) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “An authority” substitute “The Welsh Council”,
  - (b) for “the authority”, in each place it appears, substitute “the Council”, and
  - (c) for “the Secretary of State” substitute “the Welsh Ministers”.
- (3) In sub-paragraph (2)—
- (a) for “the Secretary of State so determines” substitute “the Welsh Ministers so determine”,
  - (b) for “an authority”, in each place it appears, substitute “the Council”, and
  - (c) for “the Secretary of State” substitute “the Welsh Ministers”.
- (4) In sub-paragraph (3)—
- (a) for “the Secretary of State determines” substitute “the Welsh Ministers determine”,
  - (b) for “an authority” substitute “the Council”,
  - (c) for “the authority” substitute “the Council”, and
  - (d) for “the Secretary of State” substitute “the Welsh Ministers”.
- 34 (1) Paragraph 8 (chief officer) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “each authority” substitute “the Welsh Council”, and
  - (b) for “the authority”, in each place it appears, substitute “the Council”.
- (3) In sub-paragraph (2), for “the Secretary of State”, in each place it appears, substitute “the Welsh Ministers”.
- (4) In sub-paragraph (3), for “the authority” substitute “the Council”.
- (5) In sub-paragraph (4), for “the Secretary of State” substitute “the Welsh Ministers”.

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- 35 (1) Paragraph 12 (staff) is amended as follows.
- (2) In sub-paragraph (1), for “An authority” substitute “The Welsh Council”.
- (3) In sub-paragraph (2)—
- (a) for “an authority” substitute “the Council”, and
- (b) for “the authority” substitute “the Council”.
- (4) In sub-paragraph (3), for “an authority” substitute “the Council”.
- (5) In sub-paragraph (4)—
- (a) for “Secretary of State” substitute “Welsh Ministers”,
- (b) in paragraph (a), for “an authority” substitute “the Council”, and
- (c) in paragraph (c), for “the authority” substitute “the Council”.
- 36 (1) Paragraph 13 (delegation of functions) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “An authority” substitute “The Welsh Council”, and
- (b) for “the authority” substitute “the Council”.
- (3) In sub-paragraph (2)—
- (a) for “An authority” substitute “The Council”, and
- (b) for “the authority” substitute “the Council”.
- 37 In paragraph 14 (arrangements for the use of staff)—
- (a) for “The Secretary of State” substitute “The Welsh Ministers”,
- (b) in paragraph (a), for “an authority” substitute “the Welsh Council”, and
- (c) in paragraph (b), for “an authority” substitute “the Council”, and for “the authority” substitute “the Council”.
- 38 In paragraph 16 (payments to authorities)—
- (a) for “The Secretary of State” substitute “The Welsh Ministers”,
- (b) for “an authority” substitute “the Welsh Council”, and
- (c) for “he considers” substitute “they consider”.
- 39 (1) Paragraph 18 (accounts) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “An authority” substitute “The Welsh Council”, and
- (b) for “the Secretary of State” substitute “the Welsh Ministers”.
- (3) In sub-paragraph (2)—
- (a) for “An authority” substitute “The Council”, and
- (b) for “the Secretary of State” substitute “the Welsh Ministers”.
- (4) In sub-paragraph (3)—
- (a) for “An authority” substitute “The Council”,
- (b) for “the Secretary of State”, in each place it appears, substitute “the Welsh Ministers”, and
- (c) for “the Comptroller and Auditor General” substitute “the Auditor General for Wales”.
- (5) In sub-paragraph (4)—

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- (a) for “The Comptroller and Auditor General” substitute “The Auditor General for Wales”, and
- (b) for “Parliament” substitute “the Assembly”.
- (6) In sub-paragraph (5)—
- (a) for “an authority” substitute “the Council”, and
- (b) in paragraph (a), for “the authority” substitute “the Council”.
- 40 (1) Paragraph 19 (reports etc.) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “an authority” substitute “the Welsh Council”, and
- (b) for “the Secretary of State” substitute “the Welsh Ministers”.
- (3) In sub-paragraph (2)—
- (a) for “An Authority” substitute “The Council”,
- (b) for “the Secretary of State” substitute “the Welsh Ministers”, and
- (c) for “he” substitute “they”.
- (4) In sub-paragraph (3), for “the authority” substitute “the Council”.
- 41 In paragraph 20 (application of seal)—
- (a) for “an authority” substitute “the Welsh Council”, and
- (b) in paragraphs (a) and (b), for “the authority” substitute “the Council”.
- 42 In paragraph 21 (evidence), for “an authority” substitute “the Welsh Council”.
- 43 For the title to Schedule 1 substitute “The Welsh Council”.
- Amendments to the Health and Social Care Act 2008 (c. 14)*
- 44 The Health and Social Care Act 2008 is amended as follows.
- 45 (1) In section 124 (regulation of social care workers)—
- (a) in subsection (1), for “appropriate Minister”, in each place it appears, substitute “Welsh Ministers”,
- (b) in that subsection, for “their regulation” substitute “the regulation of social care workers”, and
- (c) in subsection (3), omit the definition of “the appropriate Minister”.
- (2) For the title to that section substitute “Regulation of social care workers: Wales”.
- 46 Section 125 (standard of proof in proceedings relating to registration of social care worker)—
- (a) in subsection (2), for “a committee of a Council, a Council itself or any officer of a Council” substitute “the Care Council for Wales, a committee of the Council or any officer of the Council”, and
- (b) in subsection (3), omit paragraph (a).
- 47 (1) Section 126 (education and training of approved mental health professionals) is amended as follows.
- (2) In subsection (1)—
- (a) for “appropriate Minister” substitute “Welsh Ministers”, and
- (b) omit “the General Social Care Council or”.

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- (3) In subsection (4), omit the definition of “the appropriate Minister”.
- (4) For the title to section 126 substitute “Education and training of approved mental health professionals: Wales”.
- 48 In section 171(4) (provisions which Welsh Ministers have power to commence), before paragraph (a) insert—
- “(za) sections 124 and 125 and Schedule 9 (regulation of social care workers: Wales) and section 126 (education and training of approved mental health professionals: Wales),”.
- 49 (1) Schedule 9 (regulation of social care workers) is amended as follows.
- (2) In paragraph 1 (interpretation), for the definition of “the appropriate Council” substitute—
- ““the Council” means the Care Council for Wales.”
- (3) In paragraph 2 (matters generally within the scope of regulations), in paragraphs (a) and (h), for “the appropriate Council” substitute “the Council”.
- (4) In paragraph 5 (payments), in paragraph (b), for “the appropriate Council” substitute “the Council”.
- (5) In paragraph 6 (sub-delegation), in paragraph (a), omit the words from “Ministers of the Crown” to “Welsh Ministers, on”.
- (6) In paragraph 8 (matters outside the scope of regulations)—
- (a) in sub-paragraph (1), omit “the General Social Care Council or”,
- (b) in sub-paragraph (2), for “either of those Councils” substitute “the Council”, and
- (c) in that sub-paragraph, for “that Council” substitute “the Council”.
- (7) Omit paragraph 9 (preliminary procedure for making regulations: England).
- (8) For the title to that Schedule substitute “Regulation of social care workers: Wales”.

*Amendments to other Acts*

- 50 In the following provisions, omit the entry for the General Social Care Council—
- (a) the Schedule to the Public Bodies (Admission to Meetings) Act 1960,
- (b) Schedule 2 to the Parliamentary Commissioner Act 1967,
- (c) Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975,
- (d) Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975, and
- (e) Part 6 of Schedule 1 to the Freedom of Information Act 2000.
- 51 In section 343 of the Income Tax (Earning and Pensions) Act 2003 (deductions for professional membership fees), in paragraph 1 of the Table in subsection (2), omit sub-paragraph (o).
- 52 In section 41 of the Safeguarding Vulnerable Groups Act 2006 (registers: duty to refer), in entry number 8 in the table in subsection (7)—
- (a) in the first column, after “social care workers” insert “in Wales”, and

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- (b) in the second column, for the words from “General” to the end substitute “Care Council for Wales”.

## PART 2

### THE HEALTH AND CARE PROFESSIONS COUNCIL

- 53 (1) A reference in any instrument or document to the Health Professions Council is to be read, in relation to any time after the commencement of section 214(1), as a reference to the Health and Care Professions Council.
- (2) A reference in this Act or any other enactment, or in any other instrument or document, to the Health and Care Professions Council is to be read, in relation to any time before the commencement of section 214(1), as a reference to the Health Professions Council.
- (3) In sub-paragraph (2), “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) an Act or Measure of the National Assembly for Wales, or
  - (d) Northern Ireland legislation.
- 54 In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975, at the appropriate place insert— “ The Health and Care Professions Council ”.
- 55 In Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975, at the appropriate place insert— “ The Health and Care Professions Council ”.
- 56 In the following provisions, for “the Health Professions Council” substitute “the Health and Care Professions Council”—
- (a) Part 6 of Schedule 1 to the Freedom of Information Act 2000,
  - (b) section 25(3)(gb) of the National Health Service Reform and Health Care Professions Act 2002,
  - (c) section 4(4)(a) of the Health (Wales) Act 2003,
  - (d) paragraph 1(f) of the Table in section 343(2) of the Income Tax (Earning and Pensions) Act 2003,
  - (e) paragraph 16 of Schedule 3 to the Safeguarding Vulnerable Groups Act 2006, and
  - (f) sections 17(5)(c)(viii) and 30A(5) of the Protection of Vulnerable Groups (Scotland) Act 2007.
- 57 In section 257(3) of the Armed Forces Act 2006 (definition of “registered social worker”), for paragraph (a) substitute—
- “(a) the Health and Care Professions Council;”.
- 58 After section 30A(5) of the Protection of Vulnerable Groups (Scotland) Act 2007, insert—
- “(6) The reference in subsection (5) to the Health and Care Professions Council does not include a reference to that body in so far as it has functions relating to the social work profession in England or social care workers in England

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(each of those expressions having the same meaning as in section 60 of the Health Act 1999).”

### PART 3

#### THE PROFESSIONAL STANDARDS AUTHORITY FOR HEALTH AND SOCIAL CARE

##### *General*

- 59 (1) A reference in any instrument or document to the Council for Healthcare Regulatory Excellence is to be read, in relation to any time after the commencement of section 222(1), as a reference to the Professional Standards Authority for Health and Social Care.
- (2) A reference in this Act or any other enactment, or in any other instrument or document, to the Professional Standards Authority for Health and Social Care is to be read, in relation to any time before the commencement of section 222(1), as a reference to the Council for Healthcare Regulatory Excellence.
- (3) In sub-paragraph (2), “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) an Act or Measure of the National Assembly for Wales, or
  - (d) Northern Ireland legislation.

##### *Health Act 1999 (c. 8)*

- 60 In section 60(1) of the Health Act 1999—
- (a) in paragraph (c), for “the Council for Healthcare Regulatory Excellence” substitute “the Professional Standards Authority for Health and Social Care”, and
  - (b) in each of paragraphs (d) and (e), for “Council” substitute “Authority”.
- 61 In paragraph 7(4) of Schedule 3 to that Act, for “the Council for Healthcare Regulatory Excellence” substitute “the Professional Standards Authority for Health and Social Care”.

##### *National Health Service Reform and Health Care Professions Act 2002 (c. 17)*

- 62 In each of the following provisions of the National Health Service Reform and Health Care Professions Act 2002, for “Council” substitute “Authority”—
- (a) section 25(2), (2A) and (4),
  - (b) section 26(1), (2), (3) and (4),
  - (c) section 26A(1) (in each place it appears) and (2),
  - (d) section 26B(1) and (4) (in each case, in each place it appears),
  - (e) section 27(1), (2), (4), (10) and (14),
  - (f) section 28(1), (2)(b), (e), (f), (g), (h) and (j), (3)(a), (b) and (d) and (4),
  - (g) section 29(4) and (7) (in each case, in each place it appears),
  - (h) in Schedule 7, paragraphs 2, 6(a), (b) and (c) (in each place it appears), 7, 8, 9(1) and (2), 10(1) and (2) (in each case, in each place it appears),



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- 11(1) (in each place it appears), (2), (3) and (4), 12(1) (in each place it appears) and (2), 13, 14(1), (2), (3), (4), (7), (8) and (9), 15(1), (2), (3), (4) and (7)(a), 16(1), (1A)(a) and (b), (2), (3) and (4), 17 (in each place it appears), 18 and 19(1) and (2)(a) and (b),
- (i) the title of each of sections 26, 27 and 29, and
  - (j) the cross-heading preceding each of paragraphs 14 and 19 of Schedule 7.
- 63 In sections 26(6), 27(3) and 29(6) of, and paragraphs 1 and 4 of Schedule 7 to, that Act for “The Council” substitute “The Authority”.
- 64 Omit section 26(12) of that Act.
- 65 In section 26A(2) of, and paragraph 1 of Schedule 7 to, that Act for “Council's” substitute “Authority's”.
- 66 For the title to Schedule 7 substitute “The Professional Standards Authority for Health and Social Care”.
- Other Acts, etc.*
- 67 In section 36A(1)(b) of the Dentists Act 1984 (professions complementary to dentistry), for “regulated by the Council for Healthcare Regulatory Excellence under section 25” substitute “listed in section 25(3)”.
- 68 In each of the following provisions, for “the Council for Healthcare Regulatory Excellence” substitute “the Professional Standards Authority for Health and Social Care”—
- (a) paragraphs 1(bca) and 2(ca) of the Schedule to the Public Bodies (Admission to Meetings) Act 1960,
  - (b) paragraph (b) of the definition of “relevant disciplinary proceedings” in section 201(4) of the National Health Service Act 2006, and
  - (c) paragraph (b) of the definition of “relevant disciplinary proceedings” in section 149(4) of the National Health Service (Wales) Act 2006.
- 69 (1) In each of the following provisions, omit the entry for “The Council for Healthcare Regulatory Excellence”—
- (a) Schedule 1 to the Public Records Act 1958,
  - (b) Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975,
  - (c) Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975, and
  - (d) Part 6 of Schedule 1 to the Freedom of Information Act 2000.
- (2) In each of the provisions listed in sub-paragraph (1), at the appropriate place insert — “The Professional Standards Authority for Health and Social Care”.
- (3) Omit paragraph 26(a) of Schedule 10 to the Health and Social Care Act 2008 (which provides for the inclusion of a reference to the Council for Healthcare Regulatory Excellence in the National Assembly for Wales (Disqualification) Order 2006, which has itself been revoked).

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## PART 4

### THE OFFICE OF THE HEALTH PROFESSIONS ADJUDICATOR

#### *Miscellaneous amendments*

- 70 In the Schedule to the Public Bodies (Admission to Meetings) Act 1960, omit paragraphs 1(bcb) and 2(cb).
- 71 (1) Omit the entry for the Office of the Health Professions Adjudicator in each of the following—
- (a) Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975,
  - (b) Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975,
  - (c) Part 6 of Schedule 1 to the Freedom of Information Act 2000, and
  - (d) the table in Article 2 of the Administrative Justice and Tribunals Council (Listed Tribunals) Order 2007 (S.I. 2007/2951).
- (2) In consequence of those repeals, omit paragraphs 4(b), 5(b) and 13(b) of Schedule 10 to the Health and Social Care Act 2008 and the preceding “and” in each case.
- (3) Omit paragraph 26(b) of Schedule 10 to the Health and Social Care Act 2008 (which inserts a reference to the OHPA in the National Assembly for Wales (Disqualification) Order 2006, which has itself been revoked).
- (4) Omit paragraph 27 of that Schedule (which inserts a reference to the OHPA in the Pharmacists and Pharmacy Technicians Order 2007, which has itself been revoked).

#### *Amendments to the Health Act 1999 (c. 8)*

- 72 (1) The Health Act 1999 is amended as follows.
- (2) Omit section 60(1)(f) (power to modify constitution or functions of OHPA).
- (3) In consequence of that repeal, omit paragraph 1(2) of Schedule 8 to the Health and Social Care Act 2008.
- (4) In paragraph 8(2A) of Schedule 3 (provision under section 60 as to functions relating to unfitness to practise must provide for functions to be exercised by relevant regulatory body or OHPA), omit “or the Office of the Health Professions Adjudicator”.
- (5) In section 60A(2) (standard of proof in fitness to practise proceedings before OHPA or regulatory bodies), omit paragraph (a) and the “or” following it.

#### *Amendments to the National Health Service Reform and Health Care Professions Act 2002 (c. 17)*

- 73 (1) In section 29 of the National Health Service Reform and Health Care Professions Act 2002 (reference of disciplinary cases by the Council for Healthcare Regulatory Excellence to the court), in subsection (1)—
- (a) in paragraph (c), omit “otherwise than by reason of his physical or mental health”, and
  - (b) in paragraph (f), omit the words from “, other than a direction” to the end.

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- (2) In consequence of those repeals, omit section 118(2)(b) and (d), (5) and (6) of the Health and Social Care Act 2008.

*Amendments to the Health Act 2006 (c. 28)*

- 74 (1) Omit section 60(3)(b) of the Health Act 2006 (Appointments Commission to exercise functions of Privy Council relating to appointment of members of OHPA) and the “or” immediately preceding it.
- (2) Omit section 63(6A) and (6B) of that Act (Appointments Commission to assist OHPA with exercise of appointment functions).
- (3) In consequence of those repeals, omit paragraph 22 of Schedule 10 to the Health and Social Care Act 2008.

*Amendments to the Health and Social Care Act 2008 (c. 14)*

- 75 (1) The Health and Social Care Act 2008 is amended as follows.
- (2) In section 128 (interpretation), omit the definition of “the OHPA”.
- (3) In section 162 (orders and regulations), omit subsections (1)(b) and (c) and (4).
- (4) In Schedule 10 (amendments relating to Part 2 of that Act), omit paragraphs 7, 9, 14, 15 and 18.

*Savings*

- 76 (1) If abolition is to occur at a time other than immediately after the end of a financial year within the meaning of paragraphs 19 and 20 of Schedule 6 to the Health and Social Care Act 2008 (annual reports), the period that begins with the 1 April before abolition and ends with abolition is to be treated as a financial year for the purposes of those paragraphs.
- (2) Despite section 231(2), paragraphs 19 and 20 of that Schedule are to continue to have effect for the purpose of imposing the duties under paragraphs 19(2), (3)(b) and (4) to (6) and 20(1), (2)(b) and (3) and for the purpose of conferring the power under paragraph 20(4); and for those purposes—
- (a) the duties under paragraphs 19(2) and 20(1), in so far as they have not been discharged by the OHPA, must be discharged by the Secretary of State,
  - (b) the duties under paragraphs 19(3)(b) and (4) and 20(2)(b) must be discharged by the Secretary of State, and
  - (c) the power conferred by paragraph 20(4) may be exercised by giving directions of the description in question to the Secretary of State.
- (3) Subject to that, anything which the OHPA is required to do under an enactment before abolition may, in so far as it has not been done by the OHPA, be done by the Secretary of State after abolition.

77 A reference in any document to the OHPA is, so far as necessary or appropriate in consequence of section 231(1), to be read after abolition as a reference to the Secretary of State.

78 In paragraphs 76 and 77—  
“abolition” means the commencement of section 231(1);

*Status:* This version of this schedule contains provisions that are prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Health and Social Care Act 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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“enactment” includes an enactment contained in subordinate legislation (within the meaning of the Interpretation Act 1978);

“the OHPA” means the Office of the Health Professions Adjudicator.

**Status:**

This version of this schedule contains provisions that are prospective.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Health and Social Care Act 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations.

**Changes and effects yet to be applied to :**

- Sch. 15 para. 70 coming into force by S.I. 2012/1319 art. 2(3)
- Sch. 15 para. 71 coming into force by S.I. 2012/1319 art. 2(3)
- Sch. 15 para. 72 coming into force by S.I. 2012/1319 art. 2(3)
- Sch. 15 para. 73 coming into force by S.I. 2012/1319 art. 2(3)
- Sch. 15 para. 74 coming into force by S.I. 2012/1319 art. 2(3)
- Sch. 15 para. 75 coming into force by S.I. 2012/1319 art. 2(3)
- Sch. 15 para. 76 coming into force by S.I. 2012/1319 art. 2(3)
- Sch. 15 para. 77 coming into force by S.I. 2012/1319 art. 2(3)
- Sch. 15 para. 78 coming into force by S.I. 2012/1319 art. 2(3)
- Sch. 15 para. 1 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 2 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 3 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 4 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 5 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 6 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 7 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 8 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 9 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 10 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 11 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 12 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 13 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 14 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 15 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 16 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 17 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 18 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 19 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 20 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 21 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 22 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 23 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 24 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 25 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 26 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 27 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 28 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 29 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 30 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 31 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 32 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 33 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 34 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 35 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 36 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 37 coming into force by S.I. 2012/1319 art. 2(4)
- Sch. 15 para. 38 coming into force by S.I. 2012/1319 art. 2(4)

- Sch. 15 para. 39 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 40 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 41 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 42 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 43 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 44 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 45 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 46 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 47 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 48 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 49 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 50 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 51 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 52 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 53 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 54 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 55 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 56 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 57 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 58 coming into force by [S.I. 2012/1319 art. 2\(4\)](#)
- Sch. 15 para. 59 coming into force by [S.I. 2012/2657 art. 2\(3\)](#)
- Sch. 15 para. 60 coming into force by [S.I. 2012/2657 art. 2\(3\)](#)
- Sch. 15 para. 61 coming into force by [S.I. 2012/2657 art. 2\(3\)](#)
- Sch. 15 para. 62 coming into force by [S.I. 2012/2657 art. 2\(3\)](#)
- Sch. 15 para. 63 coming into force by [S.I. 2012/2657 art. 2\(3\)](#)
- Sch. 15 para. 64 coming into force by [S.I. 2012/2657 art. 2\(3\)](#)
- Sch. 15 para. 65 coming into force by [S.I. 2012/2657 art. 2\(3\)](#)
- Sch. 15 para. 66 coming into force by [S.I. 2012/2657 art. 2\(3\)](#)
- Sch. 15 para. 67 coming into force by [S.I. 2012/2657 art. 2\(3\)](#)
- Sch. 15 para. 68 coming into force by [S.I. 2012/2657 art. 2\(3\)](#)
- Sch. 15 para. 69 coming into force by [S.I. 2012/2657 art. 2\(3\)](#)
- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by [S.I. 2012/2657 art. 15](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 9 Ch. 1A inserted by [2015 c. 28 s. 2](#)
- s. 58(6)(c) inserted by [2013 c. 32 Sch. 12 para. 103](#)
- s. 73(3A) inserted by [S.I. 2014/892 Sch. 1 para. 189\(5\)](#)
- s. 80(3) inserted by [S.I. 2014/892 Sch. 1 para. 192\(3\)](#)
- s. 101(4A) inserted by [2013 c. 24 Sch. 6 para. 128\(4\)](#)
- s. 105(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 21](#)
- s. 106(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 22](#)
- s. 111(2A) inserted by [2014 c. 23 s. 83\(2\)](#)
- s. 120(5A) inserted by [2013 c. 24 Sch. 6 para. 131\(4\)](#)
- s. 142(4A) inserted by [2013 c. 24 Sch. 6 para. 135\(3\)](#)
- s. 251A(7)(a) words substituted by [2018 c. 12 Sch. 19 para. 173\(2\)](#)
- s. 251A(9) inserted by [2018 c. 12 Sch. 19 para. 173\(3\)](#)
- s. 251B inserted by [2015 c. 28 s. 3](#)
- s. 251B(5)(a) words substituted by [2018 c. 12 Sch. 19 para. 174\(2\)](#)
- s. 251B(7) inserted by [2018 c. 12 Sch. 19 para. 174\(3\)](#)
- s. 251C inserted by [2015 c. 28 s. 4](#)
- s. 251C modified (temp.) by [S.I. 2015/1438 reg. 4](#)
- s. 253(1)(ca) inserted by [2014 c. 23 s. 122\(2\)](#)
- s. 261(1A) inserted by [2014 c. 23 s. 122\(3\)](#)

- s. 262A inserted by 2014 c. 23 s. 122(4)
- s. 290(3)(ca) inserted by 2014 c. 23 Sch. 5 para. 15(3)
- Sch. 8 para. 11(2A) inserted by 2013 c. 24 Sch. 15 para. 49
- Sch. 10 para. 10(2A) inserted by S.I. 2014/892 Sch. 1 para. 195(4)
- Sch. 10 para. 10(3)(aa) inserted by S.I. 2014/892 Sch. 1 para. 195(5)
- Sch. 14 para. 16(1) Sch. 14 para. 16 renumbered as Sch. 14 para. 16(1) by 2014 c. 23 s. 120(18)(e)
- Sch. 14 para. 24(2A) inserted by 2014 c. 23 s. 84(8)
- Sch. 14 para. 4A4B inserted by 2014 c. 23 s. 120(18)(a)
- Sch. 14 para. 15(8) inserted by 2014 c. 23 s. 120(18)(d)
- Sch. 14 para. 16(2)-(4) inserted by 2014 c. 23 s. 120(18)(e)
- Sch. 14 para. 17(4A) inserted by 2014 c. 23 s. 120(18)(g)
- Sch. 14 para. 24(2A) inserted by 2014 c. 23 s. 120(18)(h)
- Sch. 14 para. 24A inserted by 2014 c. 23 s. 120(18)(i)
- Sch. 14 para. 35(e) and word inserted by 2014 c. 23 s. 120(18)(j)