
STATUTORY INSTRUMENTS

2004 No. 2033

The Health Professions (Operating Department Practitioners and Miscellaneous Amendments) Order 2004

PART 2

MISCELLANEOUS AMENDMENTS

Amendment of the Blood Tests (Evidence of Paternity) Regulations 1971

5. In the definition of “sampler” in regulation 2(1) of the Blood Tests (Evidence of Paternity) Regulations 1971(1) (interpretation), for “medical laboratory technician” substitute “biomedical scientist”.

Amendment of the Magistrates' Courts (Blood Tests) Rules 1971

6. In the definition of “sampler” in rule 2(1) of the Magistrates' Courts (Blood Tests) Rules 1971(2) (which relates to interpretation), for “medical laboratory technician” substitute “biomedical scientist”.

Amendment of the National Health Service (Professions Supplementary to Medicine) Regulations 1974

7. In regulation 3(1) of the National Health Service (Professions Supplementary to Medicine) Regulations 1974(3) (employment of officers), for “medical laboratory technician,” substitute “biomedical scientist,”.

Amendment of the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974

8. In regulation 3 of the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974(4) (employment of officers)—

- (a) for “chiroprapist,”, at the first place where it occurs, substitute “chiroprapist or podiatrist,”; and
- (b) for “medical laboratory technician,”, at the first place where it occurs, substitute “biomedical scientist,”.

(1) S.I.1971/1861; the relevant amending instrument is S.I. 2001/773.

(2) S.I. 1971/1991; the relevant amending instrument is S.I. 2001/776.

(3) S.I. 1974/494; the relevant amending instruments are S.I. 1978/1090, 2000/523 and 880, and 2003/1590.

(4) S.I. 1974/549; the relevant amending instruments are S.I. 2000/202 and S.I. 2003/1590.

Amendment of the European Communities (Recognition of Professional Qualifications) Regulations 1991

9. In the column headed “profession” in Part 1 of Schedule 1 to the European Communities (Recognition of Professional Qualifications) Regulations 1991(5) (professions regulated by law or public authority)—

- (a) insert “BIOMEDICAL SCIENTIST” after “ARTS THERAPIST”;
- (b) substitute “CHIROPODIST OR PODIATRIST” for “CHIROPODIST”; and
- (c) omit “MEDICAL LABORATORY TECHNICIAN”.

Further amendments to the 2001 Order

10.—(1) In article 10(5) of the 2001 Order (renewal of registration and readmission), for “Article 9(4) to (6)”, substitute “Article 9(5) to (7)”.

(2) In article 37(10) of the 2001 Order (appeals against decisions of the Education and Training Committee), for “a sheriff” substitute “to the sheriff in whose sheriffdom the person’s address in the register is (or if he were registered would be) situated”.

(3) In article 38(1)(b) of the 2001 Order (appeals), for “a sheriff” substitute “the sheriff in whose sheriffdom the person’s address in the register is (or if he were registered would be) situated”.

(4) In article 47 of the 2001 Order (inquiry by the Privy Council)—

- (a) in paragraph (7)—
 - (i) after “costs” at both places where it occurs insert “or expenses”, and
 - (ii) in sub-paragraph (b), after “Privy Council” insert “in Scotland as a debt and in England, Wales and Northern Ireland”;
- (b) in paragraph (8)—
 - (i) after “costs” at both places where it occurs insert “or expenses”, and
 - (ii) omit the words from “and every such” to “in the order”; and
- (c) for paragraph (9) substitute—
 - “(9) For the purposes of paragraph (8), orders—
 - (a) as to costs in England and Wales or Northern Ireland may by leave of the High Court be enforced in the same manner as orders of the High Court to the same effect; and
 - (b) as to expenses in Scotland may by leave of the Court of Session be enforced in the same manner as decrees of the Court of Session to the same effect.”

(5) In Schedule 3 to the 2001 Order (interpretation)—

- (a) in the definition of “parties”, for “53” substitute “47”;
- (b) in the definition of “relevant professions”—
 - (i) for “chiropractors;” substitute “chiropractors and podiatrists;” and
 - (ii) for “medical laboratory technicians;” substitute “biomedical scientists;” in the appropriate alphabetical place.

Amendments to the Health Professions (Parts of and Entries in the Register) Order of Council 2003

11. In Schedule 1 to the Health Professions (Parts of and Entries in the Register) Order of Council 2003(6) (parts of the register)—

(a) in column 1—

(i) for “Chiropodists (Chiropodists and Podiatrists)” substitute “Chiropodists and Podiatrists”, and

(ii) for “Medical Laboratory Technicians (Biomedical Scientists)” substitute “Biomedical Scientists”; and

(b) in column 2, for “Medical Laboratory Technician (Biomedical Scientist)” substitute “Biomedical Scientist”.