



Health Act 1999

1999 CHAPTER 8

PART III

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

60 Regulation of health care and associated professions.

- (1) Her Majesty may by Order in Council make provision—
- (a) modifying the regulation of any profession to which subsection (2) applies, so far as appears to Her to be necessary or expedient for the purpose of securing or improving the regulation of the profession or the services which the profession provides or to which it contributes,
 - (b) regulating any other profession which appears to Her to be concerned (wholly or partly) with the physical or mental health of individuals and to require regulation in pursuance of this section.
- (2) The professions referred to in subsection (1)(a) are—
- (a) the professions regulated by the ^{M1}Pharmacy Act 1954, the ^{M2}Medical Act 1983, the ^{M3}Dentists Act 1984, the ^{M4}Opticians Act 1989, the ^{M5}Osteopaths Act 1993 and the ^{M6}Chiropractors Act 1994,
 - (b) the professions regulated by the ^{M7}Nurses, Midwives and Health Visitors Act 1997,
 - (c) the professions regulated by the ^{M8}Professions Supplementary to Medicine Act 1960,
 - (d) any other profession regulated by an Order in Council under this section.
- (3) The Professions Supplementary to Medicine Act 1960 and the Nurses, Midwives and Health Visitors Act 1997 are to cease to have effect.
- (4) Schedule 3 (which makes further provision about Orders under this section) is to have effect.

*Status: Point in time view as at 01/07/1999. This version of this cross heading contains provisions that are not valid for this point in time.
 Changes to legislation: There are currently no known outstanding effects for the Health Act 1999, Cross Heading: Miscellaneous. (See end of Document for details)*

Commencement Information

- I1** S. 60 partly in force; s. 60 not in force at Royal Assent see s. 67(1); s. 60(3) in force for certain purposes at 1.7.1999 see s. 67(3); s. 60(1)(2)(4) in force at 15.3.2000 by S.I. 2000/779, **art. 2(1)** (subject to **art. 2(2)**); s. 60(3) in force for further certain purposes at 11.5.2001 by S.I. 2001/1985, **art. 2(2)**

Marginal Citations

- M1** 1954 c.61.
M2 1983 c.54.
M3 1984 c.24.
M4 1989 c.44.
M5 1993 c.21.
M6 1994 c.17.
M7 1997 c.24.
M8 1960 c.66.

VALID FROM 03/11/2008

[^{F1}60A Standard of proof in fitness to practise proceedings

- (1) The standard of proof applicable to any proceedings to which this subsection applies is that applicable to civil proceedings.
- (2) Subsection (1) applies to any proceedings before—
 - (a) the Office of the Health Professions Adjudicator, or
 - (b) a committee of a regulatory body, a regulatory body itself or any officer of a regulatory body,
 which relate to a person's fitness to practise a profession to which section 60(2) applies.
- (3) In subsection (2) “regulatory body” means the body (or main body) responsible for the regulation of a profession to which section 60(2) applies.
- (4) An Order in Council under section 60 may not—
 - (a) amend this section, or
 - (b) make any provision that is inconsistent with subsection (1).]

Textual Amendments

- F1** S. 60A inserted (3.11.2008 for specified purposes) by [Health and Social Care Act 2008 \(c. 14\)](#), **ss. 112**, [170\(3\)](#); [S.I. 2008/2717](#), **art. 2**

61 English and Scottish border provisions.

- (1) Her Majesty may by Order in Council provide for any functions to which subsection (2) applies which are specified in the Order, so far as exercisable in respect of the provision of services to persons in English border areas, to be exercisable (instead of any corresponding function to which subsection (4) applies) in respect of

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the provision of the services in question to persons in Scottish border areas who are specified in the Order.

- (2) This subsection applies to any functions under the 1977 Act, or Part I of the ^{M9}National Health Service (Primary Care) Act 1997, which are exercisable by the Secretary of State or any Health Authority or Primary Care Trust.
- (3) Her Majesty may by Order in Council provide for any functions to which subsection (4) applies which are specified in the Order, so far as exercisable in respect of the provision of services to persons in Scottish border areas, to be exercisable (instead of any corresponding function to which subsection (2) applies) in respect of the provision of the services in question to persons in English border areas who are specified in the Order.
- (4) This subsection applies to any functions under the 1978 Act, or Part I of the National Health Service (Primary Care) Act 1997, which are exercisable by the Scottish Ministers or any Health Board or NHS trust established under the 1978 Act.
- (5) In this section—
 - “English border area” means the area of any Health Authority adjacent to Scotland,
 - “Scottish border area” means the area of any Health Board adjacent to England.

Marginal Citations

M9 1997 c.46.

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Changes to legislation:

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