

Changes to legislation: There are currently no known outstanding effects for the Health Act 1999, Cross Heading: Matters outside the scope of the Orders. (See end of Document for details)

SCHEDULES

SCHEDULE 3

REGULATION OF HEALTH CARE AND ASSOCIATED PROFESSIONS

Matters outside the scope of the Orders

7 ^{F1}(1)

^{F2}(1A)

(2) ^{F3}

(3) ^{F4}

[^{F5}(4) An Order may not confer any additional powers of direction over [^{F6}the Professional Standards Authority for Health and Social Care].]

Textual Amendments

- F1** Sch. 3 para. 7(1) omitted (1.7.2022) by virtue of Health and Care Act 2022 (c. 31), ss. 168(4)(b), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F2** Sch. 3 para. 7(1A) omitted (1.7.2022) by virtue of Health and Care Act 2022 (c. 31), ss. 168(4)(b), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F3** Sch. 3 para. 7(2) omitted (1.1.2009) and repealed (prosp.)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. 5(3), Sch. 15 Pt. 2; S.I. 2008/3244, art. 3(a)(c)(iii)
- F4** Sch. 3 para. 7(3) repealed (1.10.2008) by Health and Social Care Act 2008 (c. 14), ss. 111, 166, 170(3), Sch. 8 para. 5(4), Sch. 15 Pt. 2; S.I. 2008/2497, art. 3(b)(ii)
- F5** Sch. 3 para. 7(4) inserted (1.4.2003) by National Health Service Reform and Health Care Professions Act 2002 (c. 17), s. 26(10); S.I. 2002/2202, art. 2(3)(b)
- F6** Words in Sch. 3 para. 7(4) substituted (1.12.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 15 para. 61; S.I. 2012/2657, art. 2(3)

8 (1) Where an enactment provides, in relation to any profession, for any function mentioned in sub-paragraph (2) to be exercised by the regulatory body or any of its committees or officers, an Order may not provide for any person [^{F7}to exercise that function other than—

- (a) a regulatory body for—
(i) a profession to which section 60(2) applies, or
(ii) social care workers in England, or
(b) the committees or officers of such a body.]

(2) The functions are—

- (a) keeping the register of members admitted to practice,
(b) determining standards of education and training for admission to practice,
(c) giving advice about standards of conduct and performance,

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^{F8}(d)

[^{F9}(2ZA) Where an enactment provides for any function mentioned in sub-paragraph (2ZB) to be exercised by the Health and Care Professions Council or another regulatory body, or any of its committees or officers, an Order may not provide for any person [^{F10} to exercise that function other than—

- (a) a regulatory body for—
 - (i) a profession to which section 60(2) applies, or
 - (ii) social care workers in England, or
- (b) the committees or officers of such a body.]

(2ZB) The functions are—

- (a) keeping the registers of social care workers in England of any description,
- (b) determining standards of education and training required as a condition of registration,
- (c) giving advice about standards of conduct and performance.]

[^{F11}(2A) Where an enactment provides, in relation to any profession, for any function of administering procedures (including making rules) relating to misconduct, unfitness to practise and similar matters to be exercised by the regulatory body or any of its committees or officers, an Order may not provide for any person [^{F12} to exercise that function other than—

- (a) a regulatory body for—
 - (i) a profession to which section 60(2) applies, or
 - (ii) social care workers in England, or
- (b) the committees or officers of such a body.]

^{F13}(2B)

^{F14}(3)

Textual Amendments

- F7** Words in Sch. 3 para. 8(1) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 168(4)(c)(i), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F8** Sch. 3 para. 8(2)(d) omitted (1.1.2009) by virtue of Health and Social Care Act 2008 (c. 14), ss. 111, 170(3), Sch. 8 para. 6(2); S.I. 2008/3244, art. 3(a)(c)(iii)
- F9** Sch. 3 para. 8(2ZA)(2ZB) inserted (27.3.2012 for specified purposes, 1.8.2012 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), ss. 211(5), 306(1)(d)(4) (with s. 230(6)); S.I. 2012/1319, art. 2(4)
- F10** Words in Sch. 3 para. 8(2ZA) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 168(4)(c)(i), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F11** Sch. 3 para. 8(2A)(2B) inserted (1.1.2009) by Health and Social Care Act 2008 (c. 14), ss. 111, 170(3), Sch. 8 para. 6(3); S.I. 2008/3244, art. 3(a)(c)(iii)
- F12** Words in Sch. 3 para. 8(2A) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), ss. 168(4)(c)(i), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F13** Sch. 3 para. 8(2B) omitted (1.7.2022) by virtue of Health and Care Act 2022 (c. 31), ss. 168(4)(c)(ii), 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F14** Sch. 3 para. 8(3) omitted (1.4.2004) by virtue of The Health Professions Order 2001 (S.I. 2002/254), art. 48(3), Sch. 4 para. 8(b) (with savings in art. 3(19) and transitional provisions in art. 48(1), Sch. 2)

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(the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I. and see London Gazette of 21.7.2004)

Changes to legislation:

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