



Professions Supplementary to Medicine Act 1960

1960 CHAPTER 66

Registration of members of the supplementary professions

4 Approval of courses, qualifications and institutions

- (1) Subject to the provisions of this section, the board for any profession may approve for the purposes of this Act—
- (a) any course of training which the board considers is designed to confer on persons completing it sufficient knowledge and skill for the practice of that profession and which persons having such preliminary qualifications as the board considers appropriate are eligible to attend;
 - (b) any qualification which, as the result of an examination taken in conjunction with a course of training approved by the board under this section, is granted to candidates reaching a standard at the examination indicating, in the opinion of the board, that they have sufficient knowledge and skill to practise that profession;
 - (c) any institution which the board considers is properly organised and equipped for conducting the whole or any part of a course of training approved by the board under this section,

and may refuse its approval under this section or withdraw such an approval previously given; and notice of the giving, refusal or withdrawal of such an approval shall be served by the board on the body or person affected.

- (2) Where an application is made to a board for its approval under this section for a course of training or a qualification, the board shall send the application with its recommendations thereon to the Council, and the Council shall send the application and recommendations, together with its own recommendations thereon, to the Privy Council, and the Privy Council shall determine whether the approval is to be given or refused:

Provided that before determining that an approval is to be refused, the Privy Council shall afford the applicant an opportunity of making representations to them with

Status: This is the original version (as it was originally enacted).

respect to the application and the recommendations of the Council and the board thereon.

- (3) If a board proposes to withdraw its approval under this section for a course of training or a qualification, the board shall report the matter to the Council and the Council shall send the report and its observations thereon to the Privy Council, and the Privy Council shall decide whether the proposal shall be abandoned or shall be proceeded with in accordance with the following provisions of this section.
- (4) If it appears to the Council, after consulting the board by which an approval has been given under this section for a course of training or a qualification, that the approval should be withdrawn in view of any advances in medicine or allied sciences or any other changes in circumstances (including changes in the activities of the board) which have occurred since the approval was given, the Council shall make a proposal to the Privy Council that the approval be withdrawn; and the Privy Council, after affording the board an opportunity of making observations on the proposal, shall decide whether the proposal shall be abandoned or shall be proceeded with in accordance with the following provisions of this section.
- (5) Where the Privy Council decide under subsection (3) or (4) of this section that a proposal shall be proceeded with, the board shall serve notice on the body or person affected stating that the withdrawal of the approval in question is being considered and inviting that body or person to send to the board in writing, within one month from the date of the notice, any representations which that body or person may wish to make to the Privy Council against the withdrawal.
- (6) Where no such representations are received by the board within the month aforesaid, the Privy Council may if they think fit direct the board to withdraw the approval; and where such representations are so received—
 - (a) the board shall send the representations and its observations thereon to the Council, and shall serve a copy of its observations on the body or person affected; and
 - (b) the Council shall send the representations and the board's observations, together with its own observations thereon, to the Privy Council, and shall serve a copy of its own observations on the body or person affected; and
 - (c) the Privy Council, after affording the body or person affected an opportunity of making additional representations on the observations of the board and the Council, shall determine whether the approval is to be withdrawn and shall give directions to the board accordingly.
- (7) The power of approval conferred on a board by subsection (1) of this section shall include power to approve—
 - (a) a course of training prepared by the board and conducted either under arrangements made by the board or otherwise;
 - (b) a qualification awarded by the board as the result of an examination held under arrangements made by the board;

and the foregoing provisions of this section shall apply in relation to an approval under this subsection, and any other approval for a course of training or a qualification for which no application is made, as if an application for the approval were made by the board concerned and as if subsections (5) and (6), and in subsections (3) and (4) the words " in accordance with the following provisions of this section ", were omitted.

- (8) If a board refuses or withdraws its approval under this section for an institution, the body or person affected may, within one month from the date of service on him

of notice of the refusal or withdrawal, appeal to the Privy Council; and the Privy Council, after affording the board and the said body or person an opportunity of making observations on the case and after considering any representations of the said body or person on the board's observations, shall either dismiss or allow the appeal and, where they allow an appeal against a refusal of approval, shall direct the board to give that approval.

- (9) If before the expiration of six months from the date of an application for approval under this section for an institution the approval has not been given or refused, the applicant shall be deemed to have received notice of its refusal on the expiration of that period; and the withdrawal of such an approval shall not take effect until the expiration of the month mentioned in subsection (8) of this section and, if within that month the body or person affected gives notice to the Privy Council of an appeal under that subsection against the withdrawal, shall not take effect unless and until the appeal is dismissed or abandoned.
- (10) The withdrawal of an approval under this section shall not prejudice the registration or entitlement to registration of any person who was registered or entitled to registration by virtue of that approval immediately before it was withdrawn.
- (11) Any reference in this section to a body or person affected, in relation to an approval, is a reference to the body or person who applied for the approval.