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PROSPECTIVE

SCHEDULE 1

THE HEALTH PROFESSIONS COUNCIL AND COMMITTEES

PART I

THE HEALTH PROFESSIONS COUNCIL

Membership

1.—(1) The Council shall consist of—

- (a) 12 members who are appointed by the Council on being elected under the election scheme made under paragraph 2 (referred to in this Order as “registrant members”);
- (b) 11 members who are appointed by the Privy Council (referred to in this Order as “lay members”); and
- (c) 12 members appointed by the Council on being elected under the election scheme made under paragraph 2 (referred to in this Order as “alternate members”).

(2) The Council shall appoint an alternate member for each registrant member.

(3) An alternate member has the same functions as a registrant member but he may attend a Council meeting in his capacity as an alternate member and vote, only if his corresponding registrant member is unable to do so.

(4) The Council shall appoint an elected candidate to be a registrant member or alternate member in accordance with criteria set out in the election scheme made under paragraph 2.

Commencement Information

II Sch. 1 para. 1 not in force at made date, see [art. 1\(2\)](#)

2.—(1) The Council shall provide in rules for an election scheme to elect the registrant members and alternate members and may provide in the rules for by-elections.

(2) The election scheme shall provide that—

(a) a person seeking election—

- (i) shall be registered in the part of the register for which he seeks election but no person may be elected for more than one part of the register at a time;
- (ii) lives or works wholly or mainly in the United Kingdom;
- (iii) is not the subject of any allegation, investigation or proceedings concerning his fitness to practise; and
- (iv) is wholly or mainly engaged in the practice, teaching or management of the profession in respect of which he is registered and seeks election or in research in those fields;

(b) at least one registrant member and one alternate member shall be appointed from each part of the register and the number of members from each part shall be equal;

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- (c) of the registrant and alternate members, at least one member shall be elected from each of the countries of the United Kingdom and that member shall live or work wholly or mainly in the country concerned;
 - (d) a person may only vote—
 - (i) in respect of one part of the register,
 - (ii) for candidates who represent a part of the register in which he is registered at the time of the election;
 - (e) a person may vote even if he lives or works outside the United Kingdom;
 - (f) where someone ceases to be a registrant member or alternate member a replacement shall, subject to paragraph 8(3), be appointed by the Council.
- (3) The Council shall provide such information and advice for voters and candidates about the purpose and conduct of the elections as it considers appropriate.

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Commencement Information

I2 Sch. 1 para. 2 not in force at made date, see [art. 1\(2\)](#)

3. Having consulted such persons as it considers appropriate, the Privy Council shall appoint lay members from among persons who are not and never have been on the register or any of the registers kept under the 1960 Act and who have such qualifications, interests and experience as, in the opinion of the Privy Council, will be of value to the Council in the performance of its functions.

.....
Commencement Information

I3 Sch. 1 para. 3 not in force at made date, see [art. 1\(2\)](#)

4. Of the members appointed by the Privy Council, there shall be at least one appointed from each country of the United Kingdom and that member shall live or work wholly or mainly in the country concerned.

.....
Commencement Information

I4 Sch. 1 para. 4 not in force at made date, see [art. 1\(2\)](#)

5. On a proposal from the Council or otherwise the Privy Council may by order vary the size or composition of the Council, provided that—

- (a) the number of registrant members constitutes no less than half the total number of members and the number of registrant members does not exceed the number of lay members by more than one;
- (b) the members live or work wholly or mainly in the United Kingdom;
- (c) there is at least one registrant member and one alternate member from each part of the register, and the number of registrant and alternate members from each part is equal;
- (d) in respect of—
 - (i) the registrant and alternate members, and
 - (ii) the lay members,

at least one member shall be appointed from each of the countries of the United Kingdom and that member shall live or work (wholly or mainly) in the country concerned.

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I5 Sch. 1 para. 5 not in force at made date, see [art. 1\(2\)](#)

6. Where the President is a registrant member, the Privy Council shall in addition to the registrant members appointed under paragraph 1(1)(a) appoint one from the same profession as the President, and shall appoint one lay member in addition to those appointed under paragraph 1(1)(b).

Commencement Information

I6 Sch. 1 para. 6 not in force at made date, see [art. 1\(2\)](#)

7. Where a member appointed by the Privy Council ceases to be a member, the Council shall inform the Privy Council and, subject to paragraph 8(3), the Privy Council shall replace him.

Commencement Information

I7 Sch. 1 para. 7 not in force at made date, see [art. 1\(2\)](#)

8.—(1) Where a member does not complete his term of office, his successor shall be appointed for the remainder of the unexpired term—

- (a) in the case of registrant and alternate members, by the Council; and
- (b) in the case of lay members, by the Privy Council.

(2) In this paragraph “the unexpired term” means the period beginning with the date on which the member ceased to be a member and ending with the date on which his full term of office would have expired.

(3) If the unexpired term is less than twelve months, the vacancy need not be filled.

(4) The person appointed for the unexpired term shall, in the case of a registrant member or alternate member, be registered in the same part of the register as the member he is to replace and, in any case, shall live or work wholly or mainly in the same country of the United Kingdom.

Commencement Information

I8 Sch. 1 para. 8 not in force at made date, see [art. 1\(2\)](#)

Commencement Information

I1 Sch. 1 para. 1 not in force at made date, see [art. 1\(2\)](#)

I2 Sch. 1 para. 2 not in force at made date, see [art. 1\(2\)](#)

I3 Sch. 1 para. 3 not in force at made date, see [art. 1\(2\)](#)

I4 Sch. 1 para. 4 not in force at made date, see [art. 1\(2\)](#)

I5 Sch. 1 para. 5 not in force at made date, see [art. 1\(2\)](#)

I6 Sch. 1 para. 6 not in force at made date, see [art. 1\(2\)](#)

I7 Sch. 1 para. 7 not in force at made date, see [art. 1\(2\)](#)

I8 Sch. 1 para. 8 not in force at made date, see [art. 1\(2\)](#)

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Tenure of members

- 9.**—(1) Each member’s term of office will be for a period of 4 years.
- (2) A person shall be removed from office as a Council member if—
- (a) there is a change in his qualifications, interests or experience such that it appears to the Privy Council that he will no longer contribute to the Council’s exercise of its functions in such a manner as justifies his continued membership.
 - (b) he ceases to live or work wholly or mainly in the United Kingdom or, if he has been appointed as a member in respect of one of the countries of the United Kingdom, in that country;
 - (c) he ceases to be registered in the part of the register in respect of which he was appointed;
 - (d) he ceases to be wholly or mainly engaged in the practice, teaching or management of the profession for which he is registered and in respect of which he was appointed or in the research mentioned in paragraph 2(2)(a)(iv);
 - (e) an order has been made against him by a Practice Committee;
 - (f) he is removed by a majority of at least two-thirds of the other members of the Council because of a serious and persistent deficiency in his attendance at meetings or in his conduct or performance at meetings;
 - (g) such other circumstances as may be provided for by the Council in standing orders occur.

Commencement Information

I9 Sch. 1 para. 9 not in force at made date, see [art. 1\(2\)](#)

- 10.** A member may resign at any time by notice in writing addressed to the Registrar.

Commencement Information

I10 Sch. 1 para. 10 not in force at made date, see [art. 1\(2\)](#)

- 11.** No member may be appointed for more than three consecutive terms.

Commencement Information

I11 Sch. 1 para. 11 not in force at made date, see [art. 1\(2\)](#)

Commencement Information

I9 Sch. 1 para. 9 not in force at made date, see [art. 1\(2\)](#)

I10 Sch. 1 para. 10 not in force at made date, see [art. 1\(2\)](#)

I11 Sch. 1 para. 11 not in force at made date, see [art. 1\(2\)](#)

The President

- 12.**—(1) The members of the Council shall elect a President from among themselves for a term of four years.

- (2) The President shall hold office until whichever of the following first occurs—

- (a) he resigns as President;

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- (b) he ceases to be a member of the Council;
- (c) he is removed by a majority vote of the other members of the Council.

(3) A person shall not be prevented from being elected President merely because he has previously been President.

(4) The President may resign the office of President at any time by notice in writing addressed to the Registrar.

Commencement Information

I12 Sch. 1 para. 12 not in force at made date, see [art. 1\(2\)](#)

Procedure etc. of Council and committees

13.—(1) Subject to any provision made by or under this Order and subject to paragraph 17, the Council shall make standing orders in respect of the Council, its committees and sub-committees, but not in respect of any of the statutory committees, to provide for—

- (a) the quorum at meetings;
- (b) the procedure at meetings;
- (c) establishing standards for the education and training, attendance and performance of members;
- (d) the composition of any of its committees and sub-committees;
- (e) the chairman of each of its committees to be a Council member;
- (f) the procedure by which a person is removed from office under paragraph 9(2);
- (g) the functions of its officers; and
- (h) circumstances in which meetings are to be in private.

Commencement Information

I13 Sch. 1 para. 13 not in force at made date, see [art. 1\(2\)](#)

14.—(1) In appointing non-Council members to any committee set up under article 3(12) the Council shall have regard, where appropriate and subject to the other provisions of this Order, to the guidance issued by the Commissioner for Public Appointments.

(2) The Council shall ensure that such members of the committee who are not Council members shall have such qualifications, interests or experience as, in the opinion of the Council, are relevant to the field with which the committee is mainly concerned.

(3) The majority of members of a professional advisory committee shall be members of the profession concerned and the Chairman shall be a Council member.

(4) The Council shall—

- (a) establish and maintain a system for the declaration and registration of private interests of its members and of other members of its committees and sub-committees; and
- (b) publish entries recorded in a register of members' interests.

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Commencement Information

I14 Sch. 1 para. 14 not in force at made date, see [art. 1\(2\)](#)

15.—(1) Decisions of the Council and committees shall be made by a majority vote of the members present and voting.

(2) In the event of a tie the Chairman shall have an additional casting vote.

(3) This paragraph does not apply to the statutory committees or to decisions of the Council under article 37.

Commencement Information

I15 Sch. 1 para. 15 not in force at made date, see [art. 1\(2\)](#)

Commencement Information

I13 Sch. 1 para. 13 not in force at made date, see [art. 1\(2\)](#)

I14 Sch. 1 para. 14 not in force at made date, see [art. 1\(2\)](#)

I15 Sch. 1 para. 15 not in force at made date, see [art. 1\(2\)](#)

Powers of the Council

16.—(1) Subject to any provision made by or under this Order, the Council may do anything which appears to it to be necessary or expedient for the purpose of, or in connection with, the performance of its functions.

(2) The Council shall, in particular, have power—

- (a) to borrow;
- (b) to appoint such staff as it may determine;
- (c) to pay its staff such salaries, allowances and expenses as it may determine;
- (d) to make such provision for the payment of such pensions, allowances or gratuities, or such contributions or payments towards provision for such pensions, allowances or gratuities, to or in respect of its staff as it may determine;
- (e) to make such provision in respect of its members and members of its committees and sub-committees as it may determine—
 - (i) for the payment of fees and allowances, including the payment of allowances to employers of such members for the purposes of enabling the members to perform functions under this Order;
 - (ii) for the reimbursement of such expenses as the members may reasonably have incurred in the course of carrying out their functions under this Order;
- (f) to establish such sub-committees of any of its committees as it may determine;
- (g) subject to any provision made by or under this Order, to regulate the procedure of any of its committees or their sub-committees;
- (h) to abolish any of its committees, other than a statutory committee, or any sub-committee of any of its committees.

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(3) The Council may not employ any member of the Council or its committees or sub-committees.

(4) If it appears to the Council that any statutory committee is failing to perform its functions adequately, the Council may give a direction as to the proper performance of those functions.

(5) Where the Council, having given a direction under sub-paragraph (4), is satisfied that the committee has failed to comply with the direction, it may exercise any power of that committee or do any act or other thing authorised to be done by that committee.

(6) The powers of the Council may be exercised even though there is a vacancy among its members.

(7) No proceedings of the Council shall be invalidated by any defect in the election or appointment of a member.

(8) No person who is a member of the Council or any of its committees or sub-committees by virtue of his membership of any profession, may take part in any proceedings of the Council in any period during which he is the subject of any investigations, proceedings or a determination against him concerning his fitness to practise his profession.

Commencement Information

I16 Sch. 1 para. 16 not in force at made date, see [art. 1\(2\)](#)

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Changes and effects yet to be applied to :

- Order title substituted by [2012 c. 7 s. 213\(6\)](#)
- Order title substituted by [2017 c. 16 Sch. 5 para. 45](#)

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)

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

- Sch. 1 para. 1A(1)(b)(ia) inserted by [2012 c. 7 s. 213\(5\)](#)
- Sch. 1 para. 19(10A)-(10C) inserted by [2015 c. 28 Sch. para. 6\(4\)](#)
- Sch. 1 para. 1(2A) inserted by [S.I. 2009/1182 Sch. 2 para. 17\(1\)\(a\)\(iii\)](#)
- Sch. 1 para. 1(5) inserted by [S.I. 2009/1182 Sch. 2 para. 18\(b\)](#)
- Sch. 1 para. 9(1A)(1B) inserted by [S.I. 2009/1182 Sch. 2 para. 17\(1\)\(c\)\(ii\)](#)
- Sch. 1 para. 9(1C) inserted by [S.I. 2009/1182 Sch. 2 para. 18\(f\)\(ii\)](#)
- Sch. 1 para. 1A(1)(b)(ia) omitted by [2017 c. 16 Sch. 5 para. 26](#)
- Sch. 1 para. 1A(4) omitted by [S.I. 2013/235 Sch. 2 para. 52](#)
- Sch. 1 para. 16A revoked by [2006 c. 28 Sch. 8 para. 48](#) [Sch. 9](#)
- Sch. 1 para. 17(1)-(2B) substituted for Sch. 1 para. 17(1)(2) by [S.I. 2009/1182 Sch. 2 para. 15\(7\)](#)
- Sch. 1 para. 1A1B substituted for Sch. 1 paras. 1-12 by [S.I. 2009/1182 Sch. 2 para. 15\(2\)](#)
- Sch. 1 Pt. 1 para. 16A inserted by [2003 c. 43 Sch. 12 para. 8](#)
- Sch. 2 para. 25-27 added by [S.I. 2004/2033 art. 3\(3\)\(f\)](#)
- Sch. 2 para. 25 coming into force by [S.I. 2002/254 art. 1\(3\)](#)
- Sch. 2 para. 26 coming into force by [S.I. 2002/254 art. 1\(3\)](#)
- Sch. 2 para. 27 coming into force by [S.I. 2002/254 art. 1\(3\)](#)
- Sch. 2 para. 3(4A) inserted by [S.I. 2004/2033 art. 3\(3\)\(c\)](#)
- art. 3(4)(4A) substituted for art. 3(4) by [2015 c. 28 Sch. para. 6\(2\)](#)
- art. 3(5)-(5B) substituted for art. 3(5) by [S.I. 2009/1182 Sch. 2 para. 1\(a\)](#)
- art. 3(5)(b)(vi)(vii) inserted by [2012 c. 7 s. 215\(2\)\(c\)](#)
- art. 3(5)(b)(vi)(vii) omitted by [2017 c. 16 Sch. 5 para. 11\(2\)\(c\)](#)
- art. 3(5AA) inserted by [2012 c. 7 s. 215\(3\)](#)
- art. 3(5AA) omitted by [2017 c. 16 Sch. 5 para. 11\(3\)](#)
- art. 3(5ZA) inserted by [2012 c. 7 s. 218\(3\)](#)
- art. 3(7A) inserted by [S.I. 2009/1182 Sch. 2 para. 1\(c\)](#)
- art. 3(17A) inserted by [2012 c. 7 s. 215\(4\)](#)
- art. 6(3)(aa) inserted by [S.I. 2007/3101 reg. 267](#)
- art. 6(3)(aa) omitted by [S.I. 2019/593 Sch. 8 para. 3](#)
- art. 6(3)(aa) words inserted by [2012 c. 7 s. 215\(5\)](#)
- art. 6(3)(aa) words omitted by [2017 c. 16 Sch. 5 para. 12](#)
- art. 7(4) inserted by [S.I. 2007/3101 reg. 268](#)
- art. 7(4) omitted by [S.I. 2019/593 Sch. 8 para. 4](#)
- art. 7(4) words inserted by [2012 c. 7 s. 215\(5\)\(b\)](#)

- art. 7(4) words omitted by 2017 c. 16 Sch. 5 para. 13
- art. 7A inserted by S.I. 2023/1286 Sch. 3 para. 70
- art. 9(2)(ba) inserted by S.I. 2014/1887 Sch. 1 para. 12(d)
- art. 9(3A) inserted by S.I. 2014/1887 Sch. 1 para. 12(e)
- art. 9(3A) omitted by 2017 c. 16 Sch. 5 para. 14(2)
- art. 9(4A) inserted by S.I. 2023/1286 Sch. 3 para. 71(b)
- art. 9(5)(a)(b) substituted for words by S.I. 2023/1286 Sch. 3 para. 71(c)
- art. 9(8) inserted by S.I. 2007/3101 reg. 270(d)
- art. 9(8) omitted by S.I. 2019/593 Sch. 8 para. 6(c)
- art. 9(8) words inserted by 2012 c. 7 s. 215(5)(b)
- art. 9(8) words omitted by 2017 c. 16 Sch. 5 para. 14(3)
- art. 9A inserted (temp.) by 2020 c. 7 Sch. 1 para. 2(2)
- art. 10(2)(aa) inserted by S.I. 2014/1887 Sch. 1 para. 13(d)
- art. 10(4)(aa) inserted by S.I. 2014/1887 Sch. 1 para. 13(e)
- art. 10(6) inserted by S.I. 2007/3101 reg. 271(b)
- art. 10(6) omitted by S.I. 2019/593 Sch. 8 para. 7(b)
- art. 10(6) words inserted by 2012 c. 7 s. 215(6)
- art. 10(6) words omitted by 2017 c. 16 Sch. 5 para. 15(2)
- art. 10(7) inserted by S.I. 2014/1887 Sch. 1 para. 13(f)
- art. 10(7) omitted by 2017 c. 16 Sch. 5 para. 15(3)
- art. 11A inserted by S.I. 2014/1887 Sch. 1 para. 14
- art. 11A(11) omitted by 2017 c. 16 Sch. 5 para. 16
- art. 11A(12) omitted by S.I. 2019/593 Sch. 8 para. 8
- art. 12(1)(c)(III) coming into force by S.I. 2002/254 art. 1(3)
- art. 12(1)(d) and word inserted by 2012 c. 7 s. 215(7)(b)
- art. 12(1)(d) and word omitted by 2017 c. 16 Sch. 5 para. 17(2)(b)
- art. 12(1)(ba) inserted by S.I. 2016/1030 reg. 147(2)
- art. 12(1)(ba) omitted by S.I. 2019/593 Sch. 8 para. 9(a)(ii)
- art. 12(1A) inserted by S.I. 2007/3101 reg. 272(b)
- art. 12(1A) omitted by S.I. 2019/593 Sch. 8 para. 9(b)
- art. 12(1ZA)-(1ZD) inserted by S.I. 2023/1286 Sch. 3 para. 72
- art. 12(2)(c) and word inserted by 2012 c. 7 s. 215(8)(b)
- art. 12(2)(c) and word omitted by 2017 c. 16 Sch. 5 para. 17(3)(b)
- art. 12A inserted by S.I. 2023/1286 Sch. 3 para. 73
- art. 13(1)(c) substituted by S.I. 2009/1182 Sch. 2 para. 3(a)
- art. 13(1)(d) words added by S.I. 2009/1182 Sch. 2 para. 3(b)
- art. 13(1B) inserted by S.I. 2012/1479 art. 2(b)
- art. 13(1B) omitted by 2017 c. 16 Sch. 5 para. 18(3)
- art. 13A inserted by S.I. 2007/3101 reg. 273
- art. 13A omitted by S.I. 2019/593 Sch. 8 para. 10
- art. 13A title substituted by 2012 c. 7 s. 215(5)(a)
- art. 13A heading words substituted by 2017 c. 16 Sch. 5 para. 19
- art. 13A(2) substituted by S.I. 2016/1030 reg. 148(2)
- art. 13A(5) word substituted by S.I. 2016/1030 reg. 148(3)(a)
- art. 13A(5) word substituted by S.I. 2016/1030 reg. 148(3)(b)
- art. 13B inserted by 2012 c. 7 s. 215(9)
- art. 13B omitted by 2017 c. 16 Sch. 5 para. 20
- art. 14(ba) inserted by 2012 c. 7 s. 218(4)
- art. 14(ba) omitted by S.I. 2022/1216 reg. 3(b)
- art. 15(5A) inserted by S.I. 2023/1286 Sch. 3 para. 74
- art. 15A15B inserted by 2012 c. 7 s. 218(5)
- art. 15A omitted by S.I. 2018/893 reg. 41(4) (This amendment comes into force on the date that 2017 c. 16, s. 39(1) comes into force. That provision is brought into force on 2.12.2019 by S.I. 2019/1436, reg. 2(b))
- art. 15B omitted by S.I. 2018/893 reg. 41(5) (This amendment comes into force on the date that 2017 c. 16, s. 39(1) comes into force. That provision is brought into force on 2.12.2019 by S.I. 2019/1436, reg. 2(b))
- art. 17(3A) inserted by 2012 c. 7 s. 218(7)

- art. 17(3A) omitted by [S.I. 2018/893 reg. 41\(7\)](#) (This amendment comes into force on the date that 2017 c. 16, s. 39(1) comes into force. That provision is brought into force on 2.12.2019 by S.I. 2019/1436, reg. 2(b))
- art. 18(1A) inserted by [2012 c. 7 s. 218\(8\)](#)
- art. 18(1A) omitted by [S.I. 2018/893 reg. 41\(8\)\(a\)](#) (This amendment comes into force on the date that 2017 c. 16, s. 39(1) comes into force. That provision is brought into force on 2.12.2019 by S.I. 2019/1436, reg. 2(b))
- art. 19(2A)-(2D) inserted by [S.I. 2007/3101 reg. 274](#)
- art. 19(2A)-(2D) omitted by [S.I. 2019/593 Sch. 8 para. 11](#)
- art. 19(2A)(b) words inserted by [2012 c. 7 s. 215\(10\)](#)
- art. 19(2A)(b) words omitted by [2017 c. 16 Sch. 5 para. 21](#)
- art. 21A inserted by [S.I. 2023/1286 Sch. 3 para. 75](#)
- art. 22(1)(a)(vi)(vii) inserted by [S.I. 2009/1182 Sch. 2 para. 5](#) (This effect comes into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- art. 26(6A) inserted by [2015 c. 28 Sch. para. 6\(3\)](#)
- art. 37(1)(aa) inserted by [S.I. 2007/3101 reg. 275](#)
- art. 37(1)(aa) omitted by [S.I. 2019/593 Sch. 8 para. 12](#)
- art. 37(1)(aa) words inserted by [2012 c. 7 s. 215\(5\)\(b\)](#)
- art. 37(1)(aa) words omitted by [2017 c. 16 Sch. 5 para. 23\(2\)](#)
- art. 37(1)(ab) inserted by [S.I. 2014/1887 Sch. 1 para. 16\(a\)](#)
- art. 37(1A)(1B) inserted by [S.I. 2014/1887 Sch. 1 para. 16\(b\)](#)
- art. 37(1B) omitted by [2017 c. 16 Sch. 5 para. 23\(3\)](#)
- art. 37(2A) inserted by [S.I. 2014/1887 Sch. 1 para. 16\(c\)](#)
- art. 37(5A) inserted by [S.I. 2009/1182 Sch. 2 para. 9\(b\)](#)
- art. 37(5A)(a) words inserted by [2012 c. 7 s. 216\(2\)](#)
- art. 37(5A)(a) words omitted by [2017 c. 16 Sch. 5 para. 23\(4\)](#)
- art. 37(8A) inserted by [2012 c. 7 s. 216\(4\)](#)
- art. 37(8A) omitted by [2017 c. 16 Sch. 5 para. 23\(6\)](#)
- art. 38(1A) inserted by [S.I. 2007/3101 reg. 276\(b\)](#)
- art. 38(1A) omitted by [S.I. 2019/593 Sch. 8 para. 13\(b\)](#)
- art. 38(1A)(c)-(e) inserted by [S.I. 2016/1030 reg. 149\(2\)](#)
- art. 38(1B) inserted (temp.) by [2020 c. 7 Sch. 1 para. 2\(4\)](#)
- art. 38(1ZA) inserted by [2012 c. 7 s. 216\(5\)](#)
- art. 38(1ZA) omitted by [2017 c. 16 Sch. 5 para. 24\(2\)](#)
- art. 38(5) inserted by [2012 c. 7 s. 216\(7\)](#)
- art. 38(5) omitted by [2017 c. 16 Sch. 5 para. 24\(4\)](#)
- art. 39(1A) inserted by [2012 c. 7 s. 215\(12\)](#)
- art. 39(1A) omitted by [2017 c. 16 Sch. 5 para. 25](#)
- art. 40(3) coming into force by [S.I. 2002/254 art. 1\(3\)](#) (See transitional provisions in S.I. 2003/1700)
- art. 40(3) coming into force by [S.I. 2002/254 art. 1\(3\)](#)
- art. 42(2A) inserted by [S.I. 2009/1182 Sch. 2 para. 12\(a\)](#)
- art. 42(3)(3A) substituted for art. 42(3) by [S.I. 2009/1182 Sch. 2 para. 12\(b\)](#)
- art. 44A inserted by [2012 c. 7 s. 219\(1\)](#)
- art. 45(3A) inserted by [2012 c. 7 s. 218\(11\)](#)
- art. 49 inserted by [S.I. 2016/1030 reg. 150](#)
- art. 49 omitted by [S.I. 2019/593 Sch. 8 para. 14](#)