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STATUTORY INSTRUMENTS

2021 No. 167

HEALTH CARE AND ASSOCIATED PROFESSIONS

**The Health and Care Professions Council (Coronavirus)
(Amendment) (No. 2) Rules Order of Council 2021**

Made - - - - 19th February 2021

Laid before Parliament 23rd February 2021

Laid before the Scottish Parliament 23rd February 2021

Coming into force in accordance with article 1

At the Council Chamber, Whitehall, the 19th day of February 2021

By the Lords of Her Majesty's Most Honourable Privy Council

The Health and Care Professions Council has made the Health and Care Professions Council (Coronavirus) (Amendment) (No. 2) Rules 2021, which are set out in the Schedule to this Order, in exercise of the powers conferred by articles 26(3), 32, 37(4) and (5) of the Health Professions Order 2001(a).

In accordance with article 41(3) of that Order, the Health and Care Professions Council has consulted representatives of groups of persons who appear likely to be affected by the proposed rules.

In accordance with articles 41(1) and 42 of that Order, the Rules shall not come into force until approved by Order of the Privy Council.

Citation and commencement

1. This Order may be cited as the Health and Care Professions Council (Coronavirus) (Amendment) (No. 2) Rules Order of Council 2021 and comes into force immediately before 4th March 2021.

Privy Council approval

2. Their Lordships, having taken the Rules as set out in the Schedule to this Order into consideration, are pleased to, and do, approve them.

(a) S.I. 2002/254, amended by S.I. 2009/1182 and S.I. 2019/1436; there are other amending instruments but none is relevant.

SCHEDULE

Article 2

The Health and Care Professions Council (Coronavirus) (Amendment) (No. 2) Rules 2021

The Health and Care Professions Council makes the following Rules in exercise of the powers conferred by articles 26(3), 32, 37(4) and (5) of the Health Professions Order 2001.

The Council has consulted in accordance with article 41(3) of that Order with representatives of groups of persons who appear likely to be affected by the proposed rules.

Citation and commencement

1. These Rules may be cited as the Health and Care Professions Council (Coronavirus) (Amendment) (No. 2) Rules 2021 and come into force immediately before 4th March 2021.

Amendments to the Health and Care Professions Council (Coronavirus) (Amendment) Rules 2021

2. After each of the following rules 2(3), 3(3), 4(3) and 5(3) of the Health and Care Professions Council (Coronavirus) (Amendment) Rules 2021(a) insert—

“(3A) After rule 3 (Service of Documents), insert—

“**3A.** Any communications sent for the purposes of these Rules is to be treated as having been sent on the day the communication was posted or sent by electronic mail.””.

Given under the seal of the Health and Care Professions Council 15th day of February 2021.



Christine Elliott
Chair

John Barwick
Registrar

EXPLANATORY NOTE

(This note is not part of the Order)

This Order approves Rules made by the Health and Care Professions Council (HCPC) (“the No. 2 Rules”). The No. 2 Rules amend the rules contained in the Schedule to the Health and Care Professions Council (Coronavirus) (Amendment) Rules Order of Council 2021 (S.I. 2012/27) (“the Rules”) to correct an error. The Rules omitted provisions specifying the day on which a document is treated as having been sent by post. The No. 2 Rules replace the omitted provisions and also provide for documents sent by electronic communication. The No. 2 Rules amend the following sets of rules:

(a) Rules as contained in the Schedule to the Health and Care Professions Council (Coronavirus) (Amendment) Rules Order of Council 2021 (S.I. 2021/27).

1. Health and Care Professions Council (Investigating Committee) (Procedure) Rules 2003 (Rules as set out in the Schedule to the Health Professions Council (Investigating Committee) (Procedure) Rules Order of Council 2003 (S.I. 2003/1574)).

2. Health and Care Professions Council (Conduct and Competence Committee) (Procedure) Rules 2003 (Rules as set out in the Schedule to the Health Professions Council (Conduct and Competence Committee) (Procedure) Rules Order of Council 2003 (S.I. 2003/1575)).

3. Health and Care Professions Council (Health Committee) (Procedure) Rules 2003 (Rules as set out in the Schedule to the Health Professions Council (Health Committee) (Procedure) Rules Order of Council 2003 (S.I. 2003/1576)).

4. Health Professions Council (Registration Appeals) Rules 2003 (Rules as set out in the Schedule to the Health Professions Council (Registration Appeals) Rules Order of Council 2003 (S.I. 2003/1579)).

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£4.90

<http://www.legislation.gov.uk/id/uksi/2021/167>

ISBN 978-0-34-822026-1



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