

2011 No. 210

HEALTH CARE AND ASSOCIATED PROFESSIONS

**The Health Professions Council (Registration and Fees)
(Amendment) (No. 2) Rules 2010 Order of Council 2011**

<i>Made</i> - - - -	<i>31st January 2011</i>
<i>Laid before Parliament</i>	<i>4th February 2011</i>
<i>Laid before the Scottish Parliament</i>	<i>4th February 2011</i>
<i>Coming into force</i> - -	<i>1st April 2011</i>

At the Council Chamber, Whitehall, the 31st day of January 2011

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

The Health Professions Council has made the Health Professions Council (Registration and Fees) (Amendment) (No. 2) Rules 2010 which are set out in the Schedule to this Order, in exercise of the powers conferred by article 7(1) and (2)(c) and (d) of the Health Professions Order 2001(a).

In accordance with articles 7(1) and 41(3) of that Order, the Health Professions Council has consulted the Education and Training Committee and representatives of groups of persons it considers appropriate, including representatives of the groups listed in article 41(3) of that Order.

In accordance with articles 41(1) and 42(1) of that Order, such 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 Professions Council (Registration and Fees) (Amendment) (No. 2) Rules 2010 Order of Council 2011 and comes into force on 1st April 2011.

Privy Council approval

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

Judith Simpson
Clerk of the Privy Council

(a) S.I. 2002/254. Article 42 (exercise of powers by the Privy Council) was amended by S.I. 2009/1182.

SCHEDULE

The Health Professions Council (Registration and Fees) (Amendment) (No. 2) Rules 2010

The Health Professions Council makes the following Rules in exercise of the powers conferred by article 7(1) and (2)(c) and (d) of the Health Professions Order 2001^(a).

In accordance with articles 7(1) and 41(3) of that Order, the Health Professions Council has consulted the Education and Training Committee and representatives of groups of persons it considers appropriate, including representatives of the groups listed in article 41(3) of that Order.

Citation and commencement

1. These Rules may be cited as the Health Professions Council (Registration and Fees) (Amendment) (No. 2) Rules 2010 and come into force on 1st April 2011.

Amendment of the Health Professions Council (Registration and Fees) Rules 2003

2.—(1) The Health Professions Council (Registration and Fees) Rules 2003^(b) are amended in accordance with the following paragraphs.

(2) In rule 4 (applications for registration)—

- (a) in paragraph (1), in sub-paragraph (a), for “declaration” substitute “declarations”;
- (b) in paragraph (1A), in sub-paragraph (a) after “to the Registrar the information” insert “and declarations”;
- (c) in paragraph (2), omit sub-paragraph (b);
- (d) in paragraph (3), omit sub-paragraph (b);
- (e) omit paragraphs (4), (4A) and (5).

(3) In rule 5 (other conditions of registration), in paragraph (2) for sub-paragraph (a) substitute—

“(a) the declaration provided by the applicant under rule 4(1)(a) or (1A)(a) and paragraph 1; and”.

(4) In Schedule 1 (application for admission to a part of the register)—

- (a) in paragraph (n) for “his good health and” substitute “the applicant’s”; and
- (b) after paragraph (n), insert—

“(o) a declaration by the applicant that the applicant’s physical and mental health do not impair the applicant’s fitness to practise the profession to which the application relates.”.

(5) Omit Schedule 4 (health reference).

^(a) S.I. 2002/254. Article 42 (exercise of powers by the Privy Council) was amended by S.I. 2009/1182.

^(b) These Rules were scheduled to S.I. 2003/1572. Relevant amendments were made in rules scheduled to S.I. 2005/1625 (which substituted Schedule 1) and S.I. 2007/3101 (which amended rules 4 and 5).

Given under the official seal of the Health Professions Council this 9th day of December 2010



Anna van der Gaag
Chair

Marc Seale
Registrar

EXPLANATORY NOTE

(This note is not part of the Order)

This Order approves the Health Professions Council (Registration and Fees) (Amendment) (No. 2) Rules 2010 made by the Health Professions Council (HPC).

Rule 1 makes provision for citation and commencement.

Rule 2 amends rules 4 and 5 of, and Schedule 1 to, the Health Professions Council (Registration and Fees) Rules 2003 (scheduled to S.I. 2003/1572) and removes Schedule 4 to those Rules. The principal effect of those amendments is to remove the requirements for a health reference from a registered medical practitioner to be provided by applicants seeking admission to the register maintained by the HPC. Applicants will be required to make a declaration that their physical and mental health do not impair their fitness to practise the profession to which the application relates. The amendments also clarify that declarations may be submitted with applications which the Registrar is permitted to accept electronically under rule 4(1A) of the 2003 Rules (rule 2(2)(b)).

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