



# Health and Social Care Act 2008

## 2008 CHAPTER 14

### PART 2

#### REGULATION OF HEALTH PROFESSIONS AND HEALTH AND SOCIAL CARE WORKFORCE

##### *The Office of the Health Professions Adjudicator*

#### **103 Legal assessors**

- (1) The OHPA must appoint, or arrange for the appointment of, persons to be legal assessors.
- (2) The legal assessors are appointed for the purpose of giving advice to the OHPA's fitness to practise panels on questions of law arising in proceedings before them.
- (3) To be eligible for appointment as a legal assessor a person must have such qualifications and satisfy such other conditions as are specified by rules.
- (4) A legal assessor appointed under this section—
  - (a) may be appointed either generally or for any particular proceedings or class of proceedings, and
  - (b) holds and vacates office in accordance with the terms of the assessor's appointment.
- (5) The OHPA may pay such fees, allowances and expenses to a legal assessor appointed under this section as it may determine.
- (6) Rules may make—
  - (a) provision about the functions of legal assessors appointed under this section, and
  - (b) provision for a fitness to practise panel not to be advised by a legal assessor if the chair of the panel is legally qualified for the purposes of section 101(2)(a).
- (7) In this section “rules” means rules made by the OHPA.