



# Health and Social Care Act 2008

## 2008 CHAPTER 14

### PART 2

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

##### *Amendments of Part 3 of Health Act 1999*

#### **111 Extension of powers under s. 60 of Health Act 1999**

Schedule 8 (which contains amendments of section 60 of, and Schedule 3 to, the 1999 Act) has effect.

#### **Commencement Information**

- I1** S. 111 in force at 1.10.2008 for specified purposes by S.I. 2008/2497, art. 3(a)  
**I2** S. 111 in force at 1.1.2009 for specified purposes by S.I. 2008/3244, art. 3(a)

#### **112 Standard of proof in fitness to practise proceedings**

After section 60 of the 1999 Act insert—

##### **“60A Standard of proof in fitness to practise proceedings**

- (1) The standard of proof applicable to any proceedings to which this subsection applies is that applicable to civil proceedings.
- (2) Subsection (1) applies to any proceedings before—
  - (a) the Office of the Health Professions Adjudicator, or
  - (b) a committee of a regulatory body, a regulatory body itself or any officer of a regulatory body,which relate to a person's fitness to practise a profession to which section 60(2) applies.

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**Changes to legislation:** There are currently no known outstanding effects for the Health and Social Care Act 2008, Cross Heading: Amendments of Part 3 of Health Act 1999. (See end of Document for details)

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- (3) In subsection (2) “regulatory body” means the body (or main body) responsible for the regulation of a profession to which section 60(2) applies.
- (4) An Order in Council under section 60 may not—
- (a) amend this section, or
  - (b) make any provision that is inconsistent with subsection (1).”

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**Commencement Information**

**I3** S. 112 in force at 3.11.2008 for specified purposes by S.I. 2008/2717, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Social Care Act 2008, Cross Heading: Amendments of Part 3 of Health Act 1999.