
STATUTORY INSTRUMENTS

2000 No. 523

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Professions Supplementary to Medicine) Amendment Regulations 2000

<i>Made</i>	- - - -	<i>29th February 2000</i>
<i>Laid before Parliament</i>		<i>1st March 2000</i>
<i>Coming into force</i>	- -	<i>1st April 2000</i>

The Secretary of State for Health, in exercise of the powers conferred by paragraph 10(1) of Schedule 5 to the National Health Service Act 1977(1), after consulting in accordance with paragraph 11(1) of that Schedule bodies recognised by him as representing persons likely to be affected, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Professions Supplementary to Medicine) Amendment Regulations 2000, and shall come into force on 1st April 2000.

(2) In these Regulations, “the principal Regulations” means the National Health Service (Professions Supplementary to Medicine) Regulations 1974(2).

(3) These Regulations extend to England

Amendment of regulation 3 of the principal Regulations

2.—(1) Regulation 3 of the principal Regulations (employment of officers) shall be amended as follows.

(2) In paragraph (1), for “radiographer or remedial gymnast” there shall be substituted “or radiographer”(3).

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- (1) 1977 c. 49; see section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”. Paragraph 10(1) of Schedule 5 was amended by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 6, paragraph 3; by the Health and Social Security Act 1984 (c. 48), Schedule 3, paragraph 14, and Schedule 8, Part I; and by the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 60(c). As regards Wales, the functions of the Secretary of State under paragraph 10(1) of Schedule 5 to the 1977 Act are transferred to the National Assembly for Wales under article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672; these Regulations therefore extend only to England.
- (2) S.I. 1974/494, amended by S.I. 1978/1090 and 1982/288.
- (3) S.I. 1986/630 removed remedial gymnasts from the list of professions to which the Professions Supplementary to Medicine Act 1960 (c. 66) applies.

- (3) After paragraph (1), there shall be inserted the following paragraph–
- “(1A) No person shall be employed as an officer of an authority to which this regulation applies, in the capacity of prosthetist and orthotist or arts therapist unless–
- (a) he is registered in respect of that profession; or
 - (b) he is a person who has never been registered as a prosthetist and orthotist or arts therapist, but who, immediately before 1st April 2000, was employed in that capacity by an authority to which this regulation applies.”.

(4) For paragraph (2) there shall be substituted–

“(2) The authorities to which this regulation applies are–

 - (a) Health
 - (b) Special Health Authorities.”.

Alan Milburn
One of Her Majesty’s Principal Secretaries of
State,
Department of Health

29th February 2000

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Professions Supplementary to Medicine) Regulations 1974 (the “principal Regulations”). The Professions Supplementary to Medicine Act 1960 (“the Act”) has been extended to include prosthetists and orthotists and arts therapists among the professions regulated under that Act. These Regulations add those professions to those whose employment by Health Authorities and Special Health Authorities is prohibited for the purposes of providing services under the National Health Service, except where their names are included in the register maintained pursuant to section 2(1) of the Act by the relevant Boards, unless they were employed in that capacity immediately before the coming into force of these Regulations.

In addition, regulation 2(2) removes the reference to remedial gymnasts from the principal Regulations because the Act no longer extends to this profession separately. It has become part of the profession of physiotherapists.

The list of authorities to which the principal Regulations apply is updated by regulation 2(4).