

## SCHEDULE

### CONSEQUENTIAL AMENDMENTS TO PRIMARY AND SECONDARY LEGISLATION

#### PART 2

#### CONSEQUENTIAL AMENDMENTS TO SECONDARY LEGISLATION

##### **National Assistance (Professions Supplementary to Medicine) Regulations 1964**

**31.**—(1) The National Assistance (Professions Supplementary to Medicine) Regulations 1964<sup>(1)</sup> are amended in accordance with this paragraph.

(2) In regulation 2 (which relates to interpretation)—

(a) in paragraph (1), after the definition of “the Act of 1946”, add—

““the 1983 Act” means the Health and Social Services and Social Security Adjudications Act 1983<sup>(2)</sup>.”; and

(b) for paragraph (2) substitute—

“(2) For the purposes of these Regulations a person is registered in respect of a profession if he is registered in the register maintained under article 5 of the Health Professions Order 2001 in the part of the register which relates to that profession.”.

(3) In regulation 3 (which relates to employment by local authorities of health professionals to provide welfare services), for “, physiotherapist or remedial gymnast” substitute “or physiotherapist”.

(4) After regulation 3, insert—

“(3A) On and after 9th July 2003 no officer shall be employed by a district council for the purposes of Schedule 9 to the 1983 Act (minor and consequential amendments), Part II (meals and recreation for old people) or by a voluntary organisation acting under arrangements with or on behalf of a district council for those purposes in the capacity of arts therapist or speech and language therapist unless—

(a) he is registered in respect of the profession appropriate to the work for which he is employed; or

(b) he was on 8th July 2003 employed in a like capacity—

(i) by that district council for the purposes of Schedule 9 to the 1983 Act, or

(ii) by that or any other voluntary organisation in carrying out arrangements with or on behalf of that district council for the purposes of Schedule 9 to the 1983 Act.”.

(5) Renumber regulation 4 (which relates to the transfer of staff) as “4(1)” and, after paragraph (1), add—

“(2) Where—

(a) by or under any enactment passed before, on or after 9th July 2003 an officer is transferred to the service of another district council; or

(b) in any area the functions under Schedule 9 to the 1983 Act have become exercisable by a different district council,

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(1) S.I.1964/939 as amended by S.I. 1968/271 and 2002/880.

(2) 1983 c. 41.

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

for the purposes of these Regulations the officer shall be deemed to have been transferred and the district council shall be deemed to have been exercising those functions on 8th July 2003 and references to employment by a district council or by a voluntary organisation in carrying out arrangements with or on behalf of a district council on that date shall be construed accordingly.”.