

2008 No. 3150 (C. 138)

HEALTH CARE AND ASSOCIATED PROFESSIONS

**The Health Care and Associated Professions (Miscellaneous
Amendments) Order 2008 (Commencement No. 2) Order of
Council 2008**

Made - - - - *9th December 2008*

At the Council Chamber, Whitehall, the day of 9th December 2008

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

Their Lordships make the following Order of Council in exercise of the powers conferred by article 1(5) of the Health Care and Associated Professions (Miscellaneous Amendments) Order 2008(a).

Citation and interpretation

1.—(1) This Order may be cited as the Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 (Commencement No. 2) Order of Council 2008.

(2) In this Order, “the principal Order” means the Health Care and Associated Professions (Miscellaneous Amendments) Order 2008.

Appointed days

2.—(1) 1st January 2009 is the day appointed for the coming into force of paragraph 5 of Schedule 2 to the principal Order, and article 2(2) of the principal Order in so far as it relates to that paragraph.

(2) 9th February 2009 is the day appointed—

(a) for the coming into force of—

(i) paragraphs 1(b), 2, 6 and 9 of Schedule 4 to the principal Order, in so far as not already in force, and

(ii) paragraphs 1(c), 5 and 7 of Schedule 4 to the principal Order, and article 2(4) of the principal Order, in so far as it relates to those paragraphs; and

(b) paragraph 5 of Schedule 5 to the principal Order, and article 3(2) of the principal Order in so far as it relates to that paragraph.

(3) 1st April 2009 is the day appointed—

(a) for the coming into force of—

(a) S.I. 2008/1774.

- (i) paragraphs 1, 4(b)(iii) and 6 of Schedule 2 to the principal Order, in so far as not already in force, and
- (ii) paragraphs 3 and 4(a) and (b)(i) and (ii) of Schedule 2 to the principal Order, and article 2(2) of the principal Order, in so far as it relates to those paragraphs;
- (b) for the coming into force of—
 - (i) paragraphs 1(b), 2, 6 and 9 of Schedule 3 to the principal Order, in so far as not already in force, and
 - (ii) paragraphs 1(c), 5 and 7 of Schedule 3 to the principal Order, and article 2(3) of the principal Order, in so far as it relates to those paragraphs; and
- (c) paragraphs 3 and 4 of Schedule 5 to the principal Order, and article 3(2) of the principal Order in so far as not already in force.

Judith Simpson
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force, on 9th February 2009, the new governance arrangements for the General Chiropractic Council (GCC) that are set out in the Health Care and Associated Professions (Miscellaneous Amendments) Order 2008. It also brings into force, on 1st April 2009, the equivalent provisions in that Order for the General Osteopathic Council (GOsC) and the General Optical Council (GOC).

The principal change is that each Council, instead of having a mix of elected and appointed members (and, in the GOC’s case, also some nominated members), will now be fully appointed, and the constitution of each Council will be set out in a separate Order of the Privy Council. The new Governance arrangements also include new annual reporting arrangements, new duties to keep registers of members private interests and new duties of co-operation with stakeholders.

In the case of the GCC and the GOsC, this Order also brings into force revised arrangements for the constitutions of their statutory committees, and new powers to make rules to allow onto their registers, for a limited period, some osteopaths or chiropractors with older qualifications that are not currently recognised.

This Order also brings into force, from 1st January 2009, a change to the definition of “medical authority” in the Opticians Act 1989(a) which takes account of the new governance arrangements for the General Medical Council that come into force on that date.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 have been or are being brought into force by a commencement order before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Article 2(1) (partially)	3rd November 2008	2008/2556
Article 2(1) (partially)	1st January 2009	2008/2556
Article 3(1)	3rd November 2008	2008/2556
Article 3(2) (partially)	1st January 2009	2008/2556

(a) 1989 c.44.

Schedule 1, paragraph 1 (fully)	1st January 2009	2008/2556
Schedule 1, paragraphs 3 to 8	3rd November 2008	2008/2556
Schedule 1, paragraphs 16 and 17	3rd November 2008	2008/2556
Schedule 1, paragraph 19	3rd November 2008	2008/2556
Schedule 1, paragraph 21 (fully)	1st January 2009	2008/2556
Schedule 1, paragraph 22	3rd November 2008	2008/2556
Schedule 5, paragraph 1	3rd November 2008	2008/2556
Schedule 5, paragraph 2	1st January 2009	2008/2556

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