



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.

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)

- (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).”

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.