

2012 No. 2672

HEALTH CARE AND ASSOCIATED PROFESSIONS

**The Health and Social Care Act 2012 (Consequential
Amendments – the Professional Standards Authority for Health
and Social Care) Order 2012**

Made - - - - *24th October 2012*

Laid before Parliament *29th October 2012*

Coming into force in accordance with article 1(2)

The Secretary of State, in exercise of the powers conferred by section 303 of the Health and Social Care Act 2012(a), makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Health and Social Care Act 2012 (Consequential Amendments – the Professional Standards Authority for Health and Social Care) Order 2012.

(2) This Order comes into force immediately after the coming into force of section 222 of the Health and Social Care Act 2012 (the Professional Standards Authority for Health and Social Care).

(3) Except as mentioned in paragraph (4), this Order extends to England and Wales, Scotland and Northern Ireland.

(4) An amendment made by this Order has the same extent as the provision amended.

Amendments: References to the Council for Healthcare Regulatory Excellence

2. In—

- (a) Part 1 of the Schedule (Offices disqualifying holders from membership of the National Assembly for Wales) to the National Assembly for Wales (Disqualification) Order 2010(b);
- (b) Part 1 of the Schedule (Offices disqualifying holders from membership of the Scottish Parliament) to the Scottish Parliament (Disqualification) Order 2010(c);
- (c) Regulation 14(2)(a)(ii) (conditions to be complied with by the patient, representative or nominee) of the National Health Service (Direct Payments) Regulations 2010(d);

(a) 2012 c.7.

(b) S.I. 2010/2969.

(c) S.I. 2010/2476. Part 1 of the Schedule was amended by S.I. 2012/725.

(d) S.I. 2010/1000.

- (d) Article 66(3)(f) (rules) of, and paragraph 10(2) (Amendments to the National Health Service Reform and Health Care Professions Act 2002) of Schedule 4 to, the Pharmacy Order 2010(a);
- (e) Article 3(5B) (the Health and Care Professions Council and its Committees) of the Health and Social Work Professions Order 2001(b),

for “the Council for Healthcare Regulatory Excellence” substitute “the Professional Standards Authority for Health and Social Care”(c).

Other consequential amendments

3.—(1) The General Pharmaceutical Council (Statutory Committees and their Advisers) Rules 2010(d) are amended as follows.

(2) In rule 2 (interpretation)—

- (a) omit the definition of “the CHRE”,
- (b) at the appropriate place in the alphabetical order, insert ““the PSA” means the Professional Standards Authority for Health and Social Care;”.

(3) In rule 9(3) (required competencies for members of statutory committees), for “the CHRE” substitute “the PSA”.

4. In regulation 1(2) (definitions) of the Council for Healthcare Regulatory Excellence (Appointment, Procedure etc.) Regulations 2008(e), for the definition of “the Council” substitute ““the Council” means the Professional Standards Authority for Health and Social Care;”.

24th October 2012

Earl Howe
Parliamentary Under-Secretary of State
Department of Health

(a) S.I. 2010/231.
(b) S.I. 2002/254. Paragraph (5B) was inserted by S.I. 2009/1182. The Health Professions Order 2001 was renamed the Health and Social Work Professions Order 2001 by section 213(6) to the Health and Social Care Act 2012 (c. 7). The change took effect from 1 August 2012 (see article 2(4) of the Health and Social Care Act 2012 (Commencement No.1 and Transitory Provision) Order 2012 (S.I.2012/1319)).
(c) The Council for Healthcare Regulatory Excellence was renamed the Professional Standards Authority for Health and Social Care by section 222 of the Health and Social Care Act 2012 (c.7).
(d) S.I. 2010/1616.
(e) S.I. 2008/2927.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments consequential upon the coming into force of section 222 of the Health and Social Care Act 2012 (c.7). Section 222 provides that the body corporate known as the Council for Healthcare Regulatory Excellence is to continue to exist, but is to change its name to the Professional Standards Authority for Health and Social Care.

As a result of that name change, this Order makes consequential amendments to a number of statutory instruments substituting the name “the Professional Standards Authority for Health and Social Care” for references to “the Council for Healthcare Regulatory Excellence” and substituting the acronym “PSA” for references to “CHRE”. This Order also amends the definition of “the Council” in the Council for Healthcare Regulatory Excellence (Appointment, Procedure etc) Regulations 2008 to refer to the Professional Standards Authority for Health and Social Care.

An impact assessment has not been produced for this instrument as the Order itself has no impact on the private sector or civil society organisations. A full impact assessment has been produced in relation to the provisions of the Health and Social Care Act 2012, and a copy is available at http://www.dh.gov.uk/en/Publicationsandstatistics/PublicationsLegislation/DH_123583.

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