



# Health Act 1999

## 1999 CHAPTER 8

### PART III

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Miscellaneous*

#### **60 Regulation of health care and associated professions**

- (1) Her Majesty may by Order in Council make provision—
  - (a) modifying the regulation of any profession to which subsection (2) applies, so far as appears to Her to be necessary or expedient for the purpose of securing or improving the regulation of the profession or the services which the profession provides or to which it contributes,
  - (b) regulating any other profession which appears to Her to be concerned (wholly or partly) with the physical or mental health of individuals and to require regulation in pursuance of this section.
- (2) The professions referred to in subsection (1)(a) are—
  - (a) the professions regulated by the Pharmacy Act 1954, the Medical Act 1983, the Dentists Act 1984, the Opticians Act 1989, the Osteopaths Act 1993 and the Chiropractors Act 1994,
  - (b) the professions regulated by the Nurses, Midwives and Health Visitors Act 1997,
  - (c) the professions regulated by the Professions Supplementary to Medicine Act 1960,
  - (d) any other profession regulated by an Order in Council under this section.
- (3) The Professions Supplementary to Medicine Act 1960 and the Nurses, Midwives and Health Visitors Act 1997 are to cease to have effect.
- (4) Schedule 3 (which makes further provision about Orders under this section) is to have effect.

## **61 English and Scottish border provisions**

- (1) Her Majesty may by Order in Council provide for any functions to which subsection (2) applies which are specified in the Order, so far as exercisable in respect of the provision of services to persons in English border areas, to be exercisable (instead of any corresponding function to which subsection (4) applies) in respect of the provision of the services in question to persons in Scottish border areas who are specified in the Order.
- (2) This subsection applies to any functions under the 1977 Act, or Part I of the National Health Service (Primary Care) Act 1997, which are exercisable by the Secretary of State or any Health Authority or Primary Care Trust.
- (3) Her Majesty may by Order in Council provide for any functions to which subsection (4) applies which are specified in the Order, so far as exercisable in respect of the provision of services to persons in Scottish border areas, to be exercisable (instead of any corresponding function to which subsection (2) applies) in respect of the provision of the services in question to persons in English border areas who are specified in the Order.
- (4) This subsection applies to any functions under the 1978 Act, or Part I of the National Health Service (Primary Care) Act 1997, which are exercisable by the Scottish Ministers or any Health Board or NHS trust established under the 1978 Act.
- (5) In this section—
  - “English border area” means the area of any Health Authority adjacent to Scotland,
  - “Scottish border area” means the area of any Health Board adjacent to England.