



Professions Supplementary to Medicine Act 1960

1960 CHAPTER 66 8 and 9 Eliz 2

Registration of members of the supplementary professions

2 Establishment and maintenance of registers.

- (1) It shall be the duty of each board to prepare and maintain a register of the names, addresses and qualifications, and such other particulars as may be prescribed, of all persons who are entitled in accordance with the provisions of this Act to be registered by the board and who apply in the prescribed manner to be so registered.
- (2) For the purposes of this Act, a person is registered by a board, and in respect of a profession, if his name is on the register maintained under this Act by the board for that profession.
- (3) The Council may, after consultation with all the boards for the time being established under this Act, make rules with respect to the form and keeping of the registers maintained by the boards and the making of entries, alterations and corrections therein, and in particular—
 - (a) regulating the making of applications for registration and providing for the evidence to be produced in support of applications;
 - (b) providing for the notification to a board of any change in the particulars entitling a person to registration;
 - (c) prescribing the fees to be paid in respect of the entry or retention of names on the register, being such fees as the Council considers will produce not more than the sums required to defray the reasonable expenses of the Council under this Act;
 - (d) authorising a board to refuse to enter a name on the register until any fee prescribed for the entry has been paid, and to remove from the register the name of any person who, after the prescribed notices and warnings, fails to pay any fee prescribed for the retention of his name on the register or fails to notify the board of any change in the particulars entitling him to registration;

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- (e) prescribing anything falling to be prescribed under the foregoing provisions of this section;

and any such rules may make different provision for different circumstances.

Rules under this subsection shall not come into force until confirmed by order of the Privy Council.

- (4) It shall be the duty of each board—
 - (a) to cause its register to be printed, published and put on sale to members of the public not later than two years from the beginning of the year next following that in which the board is established; and
 - (b) in each year after that in which its register is first published under paragraph (a) above, to cause to be printed, published and put on sale as aforesaid either a corrected edition of the register or a list of alterations made to the register since it was last printed; and
 - (c) to cause a print of each edition of the register and of each list of corrections to be deposited at the offices of the Council;

and it shall be the duty of the Council to keep the registers and lists so deposited open at all reasonable times for inspection by members of the public.

- (5) A document purporting to be a print of an edition of a register published under this section by authority of a board in the current year, or documents purporting to be prints of an edition of a register so published in a previous year and of a list of corrections to that edition so published in the current year, shall be admissible in any proceedings as evidence, and in Scotland sufficient evidence, that any person specified in the document, or the documents read together, as being registered by the board is so registered, and that any person not so specified is not registered by the board.

3 Qualifications for registration.

- (1) Subject to section nine of this Act and to rules under the last foregoing section, a person shall be entitled to be registered by a board if he applies for registration after such date as the board may by order appoint for the purposes of this section and satisfies the board—
 - (a) that he has attended a course of training approved by the board under section four of this Act; and
 - (b) that the course was conducted at an institution so approved, or partly at one such institution and partly at another or others; and
 - (c) that he holds a qualification so approved.
- (2) Subject as aforesaid, a person shall be entitled to be registered by a board if he applies for registration on or before the date aforesaid and satisfies the board that—
 - (a) he is qualified, in relation to the relevant profession, as mentioned in regulation 3 of the ^{M1}National Health Service (Medical Auxiliaries) Regulations 1954, or the corresponding provision in force in Scotland (which relate to the qualifications of persons for employment under the National Health Service in the professions mentioned in section one of this Act); or
 - (b) he holds a qualification for the time being accepted for the purposes of this paragraph by the board; or

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- (c) he has had such training and practical experience in the relevant profession as the board considers are together sufficient to enable the applicant to practise that profession; or
 - (d) in consequence of his practical experience in the relevant profession, he is competent to practise that profession,
- and shall be so entitled if he applies for registration after the date aforesaid and satisfies the board that on that date he satisfied the requirements of any of paragraphs (a) to (d) of this subsection.
- (3) If a board refuses an application for registration made in pursuance of subsection (2) of this section, or neither grants nor refuses such an application before the expiration of twelve months from the date of the application, the applicant may appeal to the Council in accordance with rules made by the Council and confirmed by order of the Privy Council; and the said subsection (2) shall apply for the purposes of the appeal as if for references to the board in paragraphs (b) and (c) and to satisfying the board there were substituted respectively references to the Council and to satisfying the Council.
 - (4) Subject as aforesaid, a person shall be entitled to be registered by a board if he satisfies the board—
 - (a) that he holds a qualification granted outside the United Kingdom and for the time being accepted for the purposes of this subsection by the board; and
 - (b) if the board so requires, that he has had sufficient practical experience in the relevant profession.

Marginal Citations

M1 S.I. 1954/941.

4 Approval of courses, qualifications and institutions.

- (1) Subject to the provisions of this section, the board for any profession may approve for the purposes of this Act—
 - (a) any course of training which the board considers is designed to confer on persons completing it sufficient knowledge and skill for the practice of that profession and which persons having such preliminary qualifications as the board considers appropriate are eligible to attend;
 - (b) any qualification which, as the result of an examination taken in conjunction with a course of training approved by the board under this section, is granted to candidates reaching a standard at the examination indicating, in the opinion of the board, that they have sufficient knowledge and skill to practise that profession;
 - (c) any institution which the board considers is properly organised and equipped for conducting the whole or any part of a course of training approved by the board under this section.

and may refuse its approval under this section or withdraw such an approval previously given; and notice of the giving, refusal or withdrawal of such an approval shall be served by the board on the body or person affected.

- (2) Where an application is made to a board for its approval under this section for a course of training or a qualification, the board shall send the application with its recommendations thereon to the Council, and the Council shall send the application

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and recommendations, together with its own recommendations thereon, to the Privy Council, and the Privy Council shall determine whether the approval is to be given or refused;

Provided that before determining that an approval is to be refused, the Privy Council shall afford the applicant an opportunity of making representations to them with respect to the application and the recommendations of the Council and the board thereon.

- (3) If a board proposes to withdraw its approval under this section for a course of training or a qualification, the board shall report the matter to the Council and the Council shall send the report and its observations thereon to the Privy Council, and the Privy Council shall decide whether the proposal shall be abandoned or shall be proceeded with in accordance with the following provisions of this section.
- (4) If it appears to the Council, after consulting the board by which an approval has been given under this section for a course of training or a qualification, that the approval should be withdrawn in view of any advances in medicine or allied sciences or any other changes in circumstances (including changes in the activities of the board) which have occurred since the approval was given, the Council shall make a proposal to the Privy Council that the approval be withdrawn; and the Privy Council, after affording the board an opportunity of making observations on the proposal, shall decide whether the proposal shall be abandoned or shall be proceeded with in accordance with the following provisions of this section.
- (5) Where the Privy Council decide under subsection (3) or (4) of this section that a proposal shall be proceeded with, the board shall serve notice on the body or person affected stating that the withdrawal of the approval in question is being considered and inviting that body or person to send to the board in writing, within one month from the date of the notice, any representations which that body or person may wish to make to the Privy Council against the withdrawal.
- (6) Where no such representations are received by the board within the month aforesaid, the Privy Council may if they think fit direct the board to withdraw the approval; and where such representations are so received—
 - (a) the board shall send the representations and its observations thereon to the Council, and shall serve a copy of its observations on the body or person affected; and
 - (b) the Council shall send the representations and the board's observations, together with its own observations thereon, to the Privy Council, and shall serve a copy of its own observations on the body or person affected; and
 - (c) the Privy Council, after affording the body or person affected an opportunity of making additional representations on the observations of the board and the Council, shall determine whether the approval is to be withdrawn and shall give directions to the board accordingly.
- (7) The power of approval conferred on a board by subsection (1) of this section shall include power to approve—
 - (a) a course of training prepared by the board and conducted either under arrangements made by the board or otherwise;
 - (b) a qualification awarded by the board as the result of an examination held under arrangements made by the board;

and the foregoing provisions of this section shall apply in relation to an approval under this subsection, and any other approval for a course of training or a qualification for

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which no application is made, as if an application for the approval were made by the board concerned and as if subsections (5) and (6), and in subsections (3) and (4) the words “in accordance with the following provisions of this section”, were omitted.

- (8) If a board refuses or withdraws its approval under this section for an institution, the body of person affected may, within one month from the date of service on him of notice of the refusal or withdrawal, appeal to the Privy Council; and the Privy Council, after affording the board and the said body or person an opportunity of making observations on the case and after considering any representations of the said body or person on the board’s observations, shall either dismiss or allow the appeal and, where they allow an appeal against a refusal of approval, shall direct the board to give that approval.
- (9) If before the expiration of six months from the date of an application for approval under this section for an institution the approval has not been given or refused, the applicant shall be deemed to have received notice of its refusal on the expiration of that period; and the withdrawal of such an approval shall not take effect until the expiration of the month mentioned in subsection (8) of this section and, if within that month the body or person affected gives notice to the Privy Council of an appeal under that subsection against the withdrawal, shall not take effect unless and until the appeal is dismissed or abandoned.
- (10) The withdrawal of an approval under this section shall not prejudice the registration or entitlement to registration of any person who was registered or entitled to registration by virtue of that approval immediately before it was withdrawn.
- (11) Any reference in this section to a body or person affected, in relation to an approval, is a reference to the body or person who applied for the approval.

5 Supervision of approved institutions and of examinations for approved qualifications.

- (1) It shall be the duty of each board to keep itself informed of the nature of—
 - (a) the instruction given at approved institutions to persons attending approved courses of training; and
 - (b) the examinations as the result of which approved qualifications are granted.
- (2) For the purpose of its duty under the foregoing subsection, a board may appoint persons to visit approved institutions or to attend examinations as a result of which approved qualifications are granted.
- (3) It shall be the duty of a visitor appointed under this section to report to the board as to the sufficiency of the instruction given to persons attending approved courses of training at the institutions visited by him, or as to the sufficiency of the examinations attended by him, and as to any other matters relating to the institutions or examinations on which the board may, either generally or in a particular case, request him to report; but no visitor shall interfere with the giving of any instruction or the holding of any examination.
- (4) A board may pay to visitors appointed under this section remuneration and travelling and subsistence allowances at such rates as the Council may determine with the consent of the Privy Council and after consultation with all the boards for the time being established under this Act.

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- (5) In this section the expression “approved”, in relation to a board, means approved by the board under section four of this Act.

6 Use of titles.

- (1) A person who is registered shall be entitled to use the title of state registered chiropodist or state registered dietitian (and similarly for the other professions mentioned in section one of this Act) according to the profession in respect of which he is registered.
- (2) Any person who—
- (a) takes or uses either alone or in conjunction with any other words, the title of state registered chiropodist, state chiropodist or registered chiropodist (and similarly as respects the other professions mentioned in section one of this Act) when his name is not on the register established under this Act in respect of that profession; or
 - (b) takes or uses any name, title, addition or description falsely implying, or otherwise pretends, that his name is on a register established under this Act,
- shall be liable on summary conviction to a fine not exceeding [^{F1}fifty pounds][^{F1}level 3 on the standard scale] and, in the case of a second or subsequent conviction, to a fine not exceeding [^{F1}one hundred pounds][^{F1}level 3 on the standard scale].

Textual Amendments

- F1** Words “level 3 on the standard scale” substituted (S.) for “fifty pounds” and “one hundred pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289E–289G**

Modifications etc. (not altering text)

- C1** [S. 6\(2\): Criminal Justice Act 1982 \(c.48, SIF 39:1\)](#), **ss. 35** (in relation to liability on first and subsequent convictions), 38 (increase of fines) and 46 (substitution of references to levels on the standard scale) apply (E. W.)
- C2** [S. 6\(2\): S. I. 1984/703](#), (N. I. 3) art. 9 (in relation to liability on first and subsequent convictions), art. 6 (increase of fines) and art. 5 (substitution of references to levels on the standard scale) apply (N. I.)

7 Penalty for false representations, etc., to obtain registration.

If a person procures or attempts to procure the entry of any name on a register established under this Act by wilfully making or producing or causing to be made or produced, either verbally or in writing, any declaration, certificate or representation which he knows to be false or fraudulent, he shall be liable on summary conviction to a fine not exceeding [^{F2}one hundred pounds].

Textual Amendments

- F2** Words “level 3 on the standard scale” substituted for “one hundred pounds” by virtue of (E. W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46**, (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G** and (N. I.) by [S. I. 1984/703](#), (N. I. 3) arts. 5, 6

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