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STATUTORY INSTRUMENTS

2012 No. 1479

**HEALTH CARE AND
ASSOCIATED PROFESSIONS
SOCIAL WORKERS**

**The Health and Social Care Act 2012 (Consequential
Provision—Social Workers) Order 2012**

Made - - - - 18th June 2012

Laid before Parliament 20th June 2012

Coming into force in accordance with article 1(2)

The Secretary of State for Health makes the following Order in exercise of the powers conferred by section 303(1) and (2) of the Health and Social Care Act 2012⁽¹⁾.

Before doing so, in accordance with section 303(4) of that Act, the Secretary of State for Health has consulted the Scottish Ministers.

PROSPECTIVE

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Health and Social Care Act 2012 (Consequential Provision—Social Workers) Order 2012.

(2) This Order comes into force on 1st August 2012, except for paragraph 90 of the Schedule and article 11 so far as relating to it, which come into force on 1st October 2012.

(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 and application as the provision amended.

Commencement Information

II Art. 1 in force at 1.8.2012, see [art. 1\(2\)](#)

(1) 2012 c. 7.

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Amendment of the Health and Social Work Professions Order 2001

2. In article 13 of the Health and Social Work Professions Order 2001(2) (transitional provisions relating to admission to the register)—

- (a) in paragraph (1), after “(1A)” insert “or (1B)”, and
- (b) after paragraph (1A) insert—

“(1B) This paragraph applies to a person who applies for admission to the register as a social worker on or after 1st August 2012.”

Commencement Information

I2 Art. 2 in force at 1.8.2012, see [art. 1\(2\)](#)

Amendment of Health Professions (Parts of and Entries in the Register) Order of Council 2003

3.—(1) The Health Professions (Parts of and Entries in the Register) Order of Council 2003(3) is amended as follows.

(2) In article 1(2) (interpretation), in the definition of “the Order”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(3) In Schedule 1 (parts of the register), in the table, after the final entries in columns 1 and 2 add—

- (a) in column 1, “Part 16—Social Workers”, and
- (b) in column 2, “Social Worker”.

Commencement Information

I3 Art. 3 in force at 1.8.2012, see [art. 1\(2\)](#)

Amendment of Health Professions Council (Registration and Fees) Rules Order of Council 2003

4.—(1) The Schedule to the Health Professions Council (Registration and Fees) Rules Order of Council 2003(4) (the Health Professions Council (Registration and Fees) Rules 2003) is amended as follows.

(2) In rule 2 (interpretation), in the definition of “the Order”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(3) In rule 2A (application to visiting health professionals from relevant European States), including the heading to that rule, for “visiting health professionals” substitute “visiting health or social work professionals”.

- (4) In rule 10 (registration period)—
 - (a) after paragraph (2B) insert—

(2) [S.I. 2002/254](#). The Order is so re-named by section 213(4) and (6) of the Health and Social Care Act 2012 (c. 7). Article 13 has been amended by [S.I. 2004/2033](#), [2009/1182](#) and [2010/233](#).

(3) [S.I. 2003/1571](#). Schedule 1 has been amended by [S.I. 2004/2033](#) and [2522](#), [2009/1182](#) and [2010/233](#).

(4) [S.I. 2003/1572](#). Rule 2 was amended, and rule 2A inserted, by [S.I. 2007/3101](#). Rule 11A was inserted by [S.I. 2005/1625](#). Rule 15 was most recently substituted by [S.I. 2009/1355](#). Rule 10 was amended, and Schedule 5 substituted, by [S.I. 2004/2524](#). Other relevant amendments were made by [S.I. 2005/2114](#), [2007/1280](#), [2009/272](#) and [1355](#) and [2010/479](#).

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“(2C) The first registration period of a social worker who, on 1st August 2012, is transferred to the register by virtue of article 4(1) of the General Social Care Council (Transfer of Register and Abolition—Transitional and Saving Provision) Order of Council 2012⁽⁵⁾ (transfer of register of social workers maintained by General Social Care Council) ends on 30th November 2012.”;

(b) In paragraph (3), for “(2A) or (2B)” substitute “(2A), (2B) or (2C)”.

(5) In rule 11A (continuing professional development), in paragraph (2), for “health professional” substitute “registrant”.

(6) In rule 14 (registration fee)—

(a) in paragraph (1), for “(2) to (4)” substitute “(2) to (5)”;

(b) after paragraph (4) add—

“(5) A social worker whose first registration period is provided for in rule 10(2C) is not liable to pay a registration fee in respect of that registration period.”.

(7) In Schedule 5 (registration period), after the entry in column 1 relating to “Radiographers: Diagnostic or Therapeutic” and the corresponding entry in column 2, insert—

(a) in column 1, “Social Workers”, and

(b) in column 2, “30th November in an even-numbered year”.

Commencement Information

I4 Art. 4 in force at 1.8.2012, see [art. 1\(2\)](#)

Amendment of the Health Professions (Screeners) Rules Order of Council 2003

5.—(1) The Schedule to the Health Professions (Screeners) Rules Order of Council⁽⁶⁾ (the Health Professions Council (Screeners) Rules 2003) is amended as follows.

(2) In rule 2 (interpretation)—

(a) omit the definition of “health professional”,

(b) in the definition of “the Order”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and omit “and” at the end, and

(c) after that definition insert—

““registrant” means a person whose name appears in the register against whom an allegation has been made, and includes a person whose registration is currently suspended; and”.

(3) In rule 4 (panels), in paragraph (3), for “health professional” substitute “registrant”.

(4) In rule 5 (consideration of allegations), in each of sub-paragraphs (a) and (b) of paragraph (5), for “health professional” substitute “registrant”.

Commencement Information

I5 Art. 5 in force at 1.8.2012, see [art. 1\(2\)](#)

(5) [S.I.2012/1480](#).

(6) [S.I. 2003/1573](#).

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Amendment of the Health Professions Council (Investigating Committee) Procedure Rules Order of Council 2003

6.—(1) The Schedule to the Health Professions Council (Investigating Committee) Procedure Rules Order of Council 2003(7) (the Health Professions Council (Investigating Committee) (Procedure) Rules 2003) is amended as follows.

(2) In rule 2 (interpretation)—

- (a) omit the definition of “health professional”,
- (b) in the definition of “the Order”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”,
- (c) in both paragraphs of the definition of “Presenting Officer”, for “health professional” substitute “registrant”, and
- (d) after the definition of “register entry allegation” insert—

““registrant” means a person whose name appears in the register against whom an allegation has been made, and includes a person whose registration is currently suspended;”.

(3) In each of the following rules, in each place where it occurs (including the heading to rule 9), for “health professional”, “health professional’s” or “health professionals” substitute respectively “registrant”, “registrant’s” or “registrants”—

- (a) rule 3 (service of documents),
- (b) rule 4 (investigation of allegations),
- (c) rule 5 (notice of register entry allegation),
- (d) rule 6 (register entry allegations—procedure),
- (e) rule 8 (conduct of hearing),
- (f) rule 8A (vulnerable witnesses), and
- (g) rule 9 (absence of the health professional).

Commencement Information

I6 Art. 6 in force at 1.8.2012, see [art. 1\(2\)](#)

Amendment of the Health Professions Council (Conduct and Competence Committee) (Procedure) Rules Order of Council 2003

7.—(1) The Schedule to the Health Professions Council (Conduct and Competence Committee) (Procedure) Rules Order of Council 2003(8) (the Health Professions Council (Conduct and Competence Committee) (Procedure) Rules 2003) is amended as follows.

(2) In rule 2 (interpretation)—

- (a) omit the definition of “health professional”,
- (b) in the definition of “the Order”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”,

(7) [S.I. 2003/1574](#); relevant amending instruments are [S.I. 2005/1625](#) and [2009/1355](#).

(8) [S.I. 2003/1575](#); relevant amending instruments are [S.I. 2005/1625](#), [1182](#) and [1355](#). [S.I. 2009/1182](#) inserted new sub-paragraphs (da) and (db) into rule 10(1), but the amendment was to come into force on the coming into force of section 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47). That provision has never come into force and is to be repealed by section 75(6) of the Protection of Freedoms Act 2012 (c. 9).

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(c) in the definition of “Presenting Officer”, for “health professional” substitute “registrant”, and

(d) after the definition of “Presenting Officer” insert—

““registrant” means a person whose name appears in the register against whom an allegation has been made, and includes a person whose registration is currently suspended.”.

(3) In each of the following rules, in each place where it occurs (including the heading to rule 11), for “health professional”, “health professional’s” or “health professionals” substitute respectively “registrant”, “registrant’s” or “registrants”—

- (a) rule 3 (service of documents),
- (b) rule 4 (referral to Health Committee),
- (c) rule 5 (allegations),
- (d) rule 6 (hearings),
- (e) rule 8 (further investigations),
- (f) rule 9 (compliance with standards),
- (g) rule 10 (conduct of hearing),
- (h) rule 10A (vulnerable witnesses),
- (i) rule 11 (absence of the health professional),
- (j) rule 12 (disposal of cases).

Commencement Information

17 Art. 7 in force at 1.8.2012, see [art. 1\(2\)](#)

Amendment of the Health Professions Council (Health Committee) (Procedure) Rules Order of Council 2003

8.—(1) The Schedule to the Health Professions Council (Health Committee) (Procedure) Rules Order of Council 2003(9) (the Health Professions Council (Health Committee) (Procedure) Rules 2003) is amended as follows.

(2) In rule 2 (interpretation)—

- (a) omit the definition of “health professional”,
- (b) in the definition of “the Order”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”,
- (c) in the definition of “Presenting Officer”, for “health professional” substitute “registrant”, and
- (d) after the definition of “Presenting Officer” insert—

““registrant” means a person whose name appears in the register against whom an allegation has been made, and includes a person whose registration is currently suspended.”.

(3) In each of the following rules, in each place where it occurs (including the heading to rule 11), for “health professional”, “health professional’s” or “health professionals” substitute respectively “registrant”, “registrant’s” or “registrants”—

(9) [S.I. 2003/1576](#); relevant amending instruments are [S.I. 2005/1625](#) and [2009/1355](#).

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- (a) rule 3 (service of documents),
- (b) rule 4 (referral to Conduct and Competence Committee),
- (c) rule 5 (allegations),
- (d) rule 6 (hearings),
- (e) rule 8 (further investigations),
- (f) rule 9 (compliance with standards),
- (g) rule 10 (conduct of hearing),
- (h) rule 10A (vulnerable witnesses),
- (i) rule 11 (absence of the health professional),
- (j) rule 12 (disposal of cases).

Commencement Information

I8 Art. 8 in force at 1.8.2012, see [art. 1\(2\)](#)

Amendment of the Health Professions Council (Registration Appeals) Rules Order of Council 2003

9.—(1) The Schedule to the Health Professions Council (Registration Appeals) Rules Order of Council 2003(**10**) (the Health Professions Council (Registration Appeals) Rules 2003) is amended as follows.

(2) In rule 2 (interpretation), in the definition of “Order”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(3) In rule 14 (conduct of hearing), in paragraph (1), for “health professional” substitute “appellant”.

Commencement Information

I9 Art. 9 in force at 1.8.2012, see [art. 1\(2\)](#)

Amendment of the Health Professions Council (Practice Committees and Miscellaneous Amendments) Rules Order of Council 2009

10. In the Schedule to the Health Professions Council (Practice Committees and Miscellaneous Amendments) Rules Order of Council 2009(**11**) (the Health Professions Council (Practice Committees and Miscellaneous Amendments) Rules 2009), in rule 2 (interpretation)—

- (a) in paragraph (a) of the definition of “lay member”, omit “or” at the end of sub-paragraph (ii), and for “and” at the end of sub-paragraph (iii) substitute—

“or

- (iv) registered as a social worker, or as a visiting social worker from a relevant European state, in a register maintained under section 56 of the Care Standards Act 2000 or in any equivalent register provided for under the law of Scotland or Northern Ireland; and,” and

(10) S.I. 2003/1579, amended by S.I. 2009/1355.

(11) S.I. 2009/1355.

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(b) in the definition of “the Order”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I10 Art. 10 in force at 1.8.2012, see [art. 1\(2\)](#)

Other consequential provision

11. The Schedule to this Order, which contains further amendments and other provision consequential on Part 7 of the Health and Social Care Act 2012, has effect.

Commencement Information

I11 Art. 11 in force at 1.10.2012 for specified purposes, see [art. 1\(2\)](#)

Signed by authority of the Secretary of State for Health.

18th June 2012

Anne Milton
Parliamentary Under-Secretary of State
Department of Health

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PROSPECTIVE

SCHEDULE

Article 11

Consequential amendments and other provision

Part 1

Amendments consequential on re-naming of Health Professions Order 2001

National Assistance (Professions Supplementary to Medicine) Regulations 1964

1. In regulation 2 of the National Assistance (Professions Supplementary to Medicine) Regulations 1964⁽¹²⁾ (interpretation), in paragraph (2) (in both forms⁽¹³⁾), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I12 Sch. para. 1 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (Professions Supplementary to Medicine) Regulations 1974

2. In regulation 2 of the National Health Service (Professions Supplementary to Medicine) Regulations 1974⁽¹⁴⁾ (interpretation), in paragraph (2) (in both forms⁽¹⁵⁾), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I13 Sch. para. 2 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (Speech Therapists) Regulations 1974

3. In regulation 3 of the National Health Service (Speech Therapists) Regulations 1974⁽¹⁶⁾ (employment of officers), in paragraph (5), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I14 Sch. para. 3 in force at 1.8.2012, see [art. 1\(2\)](#)

(12) S.I. 1964/939; relevant amending instruments are S.I. 2002/880 and 2003/1590.

(13) Paragraph (2) was substituted in relation to England only by S.I. 2003/1590.

(14) S.I. 1974/494; relevant amending instruments are S.I. 1978/1090, 2002/880 and 2003/1590.

(15) Paragraph (2) was substituted in relation to England only by S.I. 2003/1590.

(16) S.I. 1974/495; relevant amending instruments are S.I. 1985/47 and 2003/1590.

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National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974

4. In regulation 2 of the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974(17) (interpretation), in paragraph (2), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I15 Sch. para. 4 in force at 1.8.2012, see [art. 1\(2\)](#)

Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975

5. In Schedule 1 to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(18) (excepted professions, offices, employments, work and occupations), in Part 1 (professions), in paragraph 10, for “Health Professions Order 2001 applies” substitute “Health and Social Work Professions Order 2001 applies, other than the profession of social worker,”.

Commencement Information

I16 Sch. para. 5 in force at 1.8.2012, see [art. 1\(2\)](#)

Medicines (Labelling and Advertising to the Public) Regulations 1978

6. In regulation 5 of the Medicines (Labelling and Advertising to the Public) Regulations 1978(19) (prohibition of representations), in paragraph (2)(b), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I17 Sch. para. 6 in force at 1.8.2012, see [art. 1\(2\)](#)

Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 1980

7. In regulation 1(2) of the Medicines (Sale or Supply) (Miscellaneous Provisions) Regulations 1980(20) (interpretation), in sub-paragraph (a)—

- (a) in paragraph (c) of the definition of “relevant register”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) in paragraph (d) of the definition of “supplementary prescriber”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(17) [S.I. 1974/549 \(S. 49\)](#); the relevant amending instrument is [S.I. 2003/1590](#).

(18) [S.I. 1975/1023](#). The Order was revoked in relation to Scotland by [S.S.I. 2003/231](#). Schedule 1 to the Order has been amended by section 39(2) of the Osteopaths Act 1993 (c. 21) and by section 40(2) of the Chiropractors Act 1994 (c. 17). Relevant amending instruments are [S.I. 2001/1192](#), [2002/441](#), [2003/1590](#), [2005/848](#), [2006/2143](#), [2007/289](#) and [2009/1182](#).

(19) [S.I. 1978/41](#); relevant amending instruments are [S.I. 2002/880](#), [2003/1590](#) and [2004/1771](#).

(20) [S.I. 1980/1923](#). The definitions of “relevant register” and “supplementary prescriber” were inserted by [S.I. 2003/698](#) and amended by [S.I. 2004/1771](#), [2005/764](#), and [1520](#), [2006/914](#), [2007/289](#) and [2010/231](#).

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Commencement Information

I18 Sch. para. 7 in force at 1.8.2012, see [art. 1\(2\)](#)

Medicines (Pharmacy and General Sale–Exemption) Order 1980

8. In article 1(2) of the Medicines (Pharmacy and General Sale–Exemption) Order 1980⁽²¹⁾ (interpretation), in sub-paragraph (a), in each of the following, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”—

- (a) the definitions of each of “registered chiropodist”, “registered dietician”, “registered occupational therapist”, “registered orthoptist”, “registered orthotist and prosthetist”, “registered paramedic”, “registered physiotherapist”, “registered radiographer” and “registered speech and language therapist”,
- (b) paragraph (c) of the definition of “relevant register”, and
- (c) paragraph (d) of the definition of “supplementary prescriber”.

Commencement Information

I19 Sch. para. 8 in force at 1.8.2012, see [art. 1\(2\)](#)

Health Education Board for Scotland Order 1990

9. In the Schedule to the Health Education Board for Scotland Order 1990⁽²²⁾ (enactments applied to the Board), in Part 3, in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I20 Sch. para. 9 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (Pharmaceutical Services) Regulations 1992

10. In regulation 2(1) of the National Health Service (Pharmaceutical Services) Regulations 1992⁽²³⁾ (interpretation)—

- (a) in paragraph (c) of the definition of “relevant register”⁽²⁴⁾, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) in paragraph (a) of the definition of “supplementary prescriber”⁽²⁵⁾, in sub-paragraph (iv), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

⁽²¹⁾ S.I. 1980/1924; relevant amending instruments are S.I. 2003/1590, 2004/1, 1190 and 1771, 2005/766 and 1507, 2006/915, 2007/289 and 2010/231.

⁽²²⁾ S.I. 1990/2639 (S. 224); the relevant amending instrument is S.I. 2003/1590.

⁽²³⁾ S.I. 1992/662. These regulations were revoked in their application to England by S.I. 2005/641.

⁽²⁴⁾ The definition of “relevant register” was inserted in relation to Wales by S.I. 2007/205 and amended by S.I. 2007/289 and 2010/231.

⁽²⁵⁾ The definition of “supplementary prescriber” was inserted in relation to Wales by S.I. 2003/2624 and substituted by S.I. 2010/1647.

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Commencement Information

I21 Sch. para. 10 in force at 1.8.2012, see [art. 1\(2\)](#)

Medicines for Human Use (Marketing Authorisations Etc.) Regulations 1994

11. In regulation 1(2) of the Medicines for Human Use (Marketing Authorisations Etc.) Regulations 1994(26) (interpretation)—

- (a) in paragraph (c) of the definition of “relevant register”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”,
- (b) in paragraph (d) of the definition of “supplementary prescriber”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I22 Sch. para. 11 in force at 1.8.2012, see [art. 1\(2\)](#)

State Hospitals Board for Scotland Order 1995

12. In the Schedule to the State Hospitals Board for Scotland Order 1995(27) (enactments applied to the Board), in Part 3, in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I23 Sch. para. 12 in force at 1.8.2012, see [art. 1\(2\)](#)

Prescription Only Medicines (Human Use) Order 1997

13.—(1) The Prescription Only Medicines (Human Use) Order 1997(28) is amended as follows.

(2) In article 1(2) (interpretation), in sub-paragraph (a), in each of the following, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”—

- (a) the definitions of each of “registered chiropodist”, “registered dietician”, “registered occupational therapist”, “registered orthoptist”, “registered orthotist and prosthetist”, “registered paramedic”, “registered physiotherapist”, “registered radiographer” and “registered speech and language therapist”,
- (b) paragraph (c) of the definition of “relevant register”, and
- (c) paragraph (d) of the definition of “supplementary prescriber”.

(3) In article 13A (exemptions relating to prescriptions given by certain health professionals), in paragraph (1)(d), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(26) [S.I. 1994/3144](#). The definitions of “relevant register” and “supplementary prescriber” were inserted by [S.I. 2005/768](#) and amended by [S.I. 2005/1520](#), [2006/914](#), [2007/289](#) and [2010/231](#).

(27) [S.I. 1995/574](#) (S. 43); the relevant amending instrument is [S.I. 2003/1590](#).

(28) [S.I. 1997/1830](#). Relevant amendments to article 1 were made by [S.I. 2003/696](#) and [1590](#), [2004/1189](#) and [1771](#), [2005/765](#) and [1507](#), [2006/915](#), [2007/289](#) and [2010/231](#). Article 13A was inserted by [S.I. 2002/549](#) and relevant amendments made by [S.I. 2003/696](#), [2005/765](#), [2005/1507](#) and [2006/915](#).

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Commencement Information

I24 Sch. para. 13 in force at 1.8.2012, see [art. 1\(2\)](#)

Pharmaceutical Services Regulations (Northern Ireland) 1997

14. In regulation 2(1) of the Pharmaceutical Services Regulations (Northern Ireland) 1997(**29**), in paragraph (a) of the definition of “supplementary prescriber”, in sub-paragraph (iv), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I25 Sch. para. 14 in force at 1.8.2012, see [art. 1\(2\)](#)

Scottish Ambulance Service Board Order 1999

15. In the Schedule to the Scottish Ambulance Service Board Order 1999(**30**) (enactments applied to the Board), in Part 3, in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I26 Sch. para. 15 in force at 1.8.2012, see [art. 1\(2\)](#)

Primary Care Trusts (Consultation on Establishment, Dissolution and Transfer of Staff) Regulations 1999

16. In regulation 1(2) of the Primary Care Trusts (Consultation on Establishment, Dissolution and Transfer of Staff) Regulations 1999(**31**) (interpretation), in the definition of “health care professional”, in paragraph (e), for “Health Professions Order 2001 extends” substitute “Health and Social Work Professions Order 2001 extends (other than that of social worker)”.

Commencement Information

I27 Sch. para. 16 in force at 1.8.2012, see [art. 1\(2\)](#)

Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000

17. In regulation 5 of the Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000(**32**) (disqualification for appointment: chairman and non-officer members), in paragraph (5)(e), for “Health Professions Order 2001 extends” substitute “Health and Social Work Professions Order 2001 extends (other than that of social worker)”.

(29) [S.R. \(NI\) 1997 No. 381](#). The definition of “supplementary prescriber” was inserted by [S.R. \(NI\) 2003 No. 447](#) and most recently substituted by [S.R. \(NI\) 2009 No. 191](#).

(30) [S.I. 1999/686 \(S. 47\)](#); the relevant amending instrument is [S.I. 2003/1590](#).

(31) [S.I. 1999/2337](#); relevant amending instruments are [S.I. 2002/880](#), [2004/1771](#), [2005/848](#) and [2007/3101](#).

(32) [S.I. 2000/89](#); relevant amending instruments are [S.I. 2002/880](#), [2004/1771](#), [2005/848](#) and [2007/3101](#).

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care Act 2012 (Consequential Provision—Social Workers) Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Commencement Information

I28 Sch. para. 17 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (Charges for Drugs and Appliances) Regulations 2000

18. In regulation 2(1) of the National Health Service (Charges for Drugs and Appliances) Regulations 2000(**33**) (interpretation), in paragraph (a) of the definition of “supplementary prescriber”, in sub-paragraph (iv), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I29 Sch. para. 18 in force at 1.8.2012, see [art. 1\(2\)](#)

Representation of the People (England and Wales) Regulations 2001

19. In regulation 53 of the Representation of the People (England and Wales) Regulations 2001(**34**) (additional requirements for application for a proxy vote for a definite or indefinite period on grounds of blindness or other disability)—

- (a) in paragraph (2)(j), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) in paragraph (3)(a), after sub-paragraph (ii) add—
 - “(iii) the person is a social worker who qualifies by virtue of sub-paragraph (j) of paragraph (2), and has arranged care or assistance for the applicant in respect of that disability; or”.

Commencement Information

I30 Sch. para. 19 in force at 1.8.2012, see [art. 1\(2\)](#)

Representation of the People (Scotland) Regulations 2001

20. In regulation 53 of the Representation of the People (Scotland) Regulations 2001(**35**) (additional requirements for application for a proxy vote for a particular or indefinite period on grounds of blindness or other disability), in paragraph (2)(j)—

- (a) for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) at the end add “, other than the profession of social worker;”.

(33) [S.I. 2000/620](#). The definition of “supplementary prescriber” was inserted by [S.I. 2003/699](#), substituted by [S.I. 2006/913](#) and amended by [S.I. 2007/389](#) and [2010/231](#).

(34) [S.I. 2001/341](#). The heading of regulation 53 was amended, and paragraphs (2) to (4) were substituted, by [S.I. 2006/2910](#). Paragraph (2) was further amended by [S.I. 2009/1182](#) and [2010/231](#).

(35) [S.I. 2001/497 \(S. 2\)](#). The heading of regulation 53 was amended, and paragraphs (2) to (4) were substituted, by [S.I. 2007/925 \(S. 2\)](#). Paragraph (2) was further amended by [S.I. 2009/1182](#), [2010/231](#) and [2011/2581](#).

Status: This version of this Instrument contains provisions that are prospective.

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Commencement Information

I31 Sch. para. 20 in force at 1.8.2012, see [art. 1\(2\)](#)

Misuse of Drugs Regulations 2001

21. In regulation 2(1) of the Misuse of Drugs Regulations 2001⁽³⁶⁾ (interpretation), in the definition of “operating department practitioner”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I32 Sch. para. 21 in force at 1.8.2012, see [art. 1\(2\)](#)

NHS 24 (Scotland) Order 2001

22. In the Schedule to the NHS 24 (Scotland) Order 2001⁽³⁷⁾ (enactments to be applied to the Board), in Part 3, in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I33 Sch. para. 22 in force at 1.8.2012, see [art. 1\(2\)](#)

Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001

23. In regulation 4 of the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001⁽³⁸⁾ (disqualification for appointment as convenor or member of Scottish Social Services Council), in paragraph (5)(f), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I34 Sch. para. 23 in force at 1.8.2012, see [art. 1\(2\)](#)

Scottish Social Services Council (Consultation on Codes of Practice) Order 2001

24. In article 2 of the Scottish Social Services Council (Consultation on Codes of Practice) Order 2001⁽³⁹⁾ (consultation on codes of practice), in paragraph (i), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

⁽³⁶⁾ S.I. 2001/3998. The definition of “operating department practitioner” was inserted by S.I. 2007/2154.

⁽³⁷⁾ S.S.I. 2001/137; the relevant amending instrument is S.I. 2003/1590.

⁽³⁸⁾ S.S.I. 2001/303; the relevant amending instrument is S.I. 2003/1590.

⁽³⁹⁾ S.S.I. 2001/424; the relevant amending instrument is S.I. 2003/1590.

Status: This version of this Instrument contains provisions that are prospective.

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Commencement Information

I35 Sch. para. 24 in force at 1.8.2012, see [art. 1\(2\)](#)

NHS Education for Scotland Order 2002

25. In the Schedule to the NHS Education for Scotland Order 2002(40) (enactments to be applied to the Board), in Part 3, in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I36 Sch. para. 25 in force at 1.8.2012, see [art. 1\(2\)](#)

Adults with Incapacity (Ethics Committee) (Scotland) Regulations 2002

26. In regulation 3 of the Adults with Incapacity (Ethics Committee) (Scotland) Regulations 2002(41) (membership of the Committee), in paragraph (3)(h), for “Health Professions Order 2001 applies” substitute “Health and Social Work Professions Order 2001 applies (other than that of social worker)”.

Commencement Information

I37 Sch. para. 26 in force at 1.8.2012, see [art. 1\(2\)](#)

National Waiting Times Centre Board (Scotland) Order 2002

27. In the Schedule to the National Waiting Times Centre Board (Scotland) Order 2002(42) (enactments to be applied to the Board), in Part 3, in column 2 of the entry relating to the National Health Service (Professions Supplementary to Medicine) (Scotland) Regulations 1974, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I38 Sch. para. 27 in force at 1.8.2012, see [art. 1\(2\)](#)

Misuse of Drugs Regulations (Northern Ireland) 2002

28. In regulation 2(2) of the Misuse of Drugs Regulations (Northern Ireland) 2002(43) (interpretation), in the definition of “operating department practitioner”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(40) S.S.I. 2002/103; the relevant amending instrument is S.I. 2003/1590.

(41) S.S.I. 2002/190; relevant amending instruments are S.I. 2003/1590, S.S.I. 2004/212 and S.I. 2010/231.

(42) S.S.I. 2002/305; the relevant amending instrument is S.I. 2003/1590.

(43) S.R. (NI) 2002 No. 1. The definition of “operating department practitioner” was inserted by S.R. (NI) 2007 No. 348.

Status: This version of this Instrument contains provisions that are prospective.

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Commencement Information

I39 Sch. para. 28 in force at 1.8.2012, see [art. 1\(2\)](#)

Health Professions Council (Functions of Assessors) Rules Order of Council 2003

29. In the Schedule to the Health Professions Council (Functions of Assessors) Rules Order of Council 2003(44) (the Health Professions Council (Functions of Assessors) Rules 2003), in the definition of “the Order” in rule 2 (interpretation), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I40 Sch. para. 29 in force at 1.8.2012, see [art. 1\(2\)](#)

Health Professions Order 2001 (Legal Assessors) Order of Council 2003

30.—(1) The Health Professions Order 2001 (Legal Assessors) Order of Council 2003(45) is amended as follows.

(2) In article 1(1) (citation), for “Health Professions Order 2001 (Legal Assessors) Order 2003” substitute “Health and Social Work Professions Order 2001 (Legal Assessors) Order 2003”.

(3) In article 1(2) (interpretation), in the definition of “the Order”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(4) In the title to the Order, for “Health Professions Order 2001 (Legal Assessors) Order of Council 2003” substitute “Health and Social Work Professions Order 2001 (Legal Assessors) Order of Council 2003”.

Commencement Information

I41 Sch. para. 30 in force at 1.8.2012, see [art. 1\(2\)](#)

Medicines (Child Safety) Regulations 2003

31. In regulation 1(2) of the Medicines (Child Safety) Regulations 2003(46) (interpretation)—

- (a) in paragraph (c) of the definition of “relevant register”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) in paragraph (d) of the definition of “supplementary prescriber”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I42 Sch. para. 31 in force at 1.8.2012, see [art. 1\(2\)](#)

(44) [S.I. 2003/1577](#).

(45) [S.I. 2003/1578](#). This Order is cited as “the Health Professions Order 2001 (Legal Assessors) Order 2003”, but its title appears as “Health Professions Order 2001 (Legal Assessors) Order of Council 2003”.

(46) [S.I. 2003/2317](#); relevant amending instruments are [S.I. 2004/1771](#), [2005/1520](#), [2006/914](#), [2007/289](#) and [2010/231](#).

Status: This version of this Instrument contains provisions that are prospective.

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Registered Health Care Profession (Designation) Order 2003

32. In article 2 of the Registered Health Care Profession (Designation) Order 2003(47) (designation of paramedics), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I43 Sch. para. 32 in force at 1.8.2012, see [art. 1\(2\)](#)

Registered Health Care Profession (Designation No. 2) Order 2003

33. In article 2 of the Registered Health Care Profession (Designation No. 2) Order 2003(48) (designation of paramedics), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I44 Sch. para. 33 in force at 1.8.2012, see [art. 1\(2\)](#)

Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003

34. In Schedule 4 to the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003(49) (excepted professions, offices, employments and occupations), in Part 1 (professions), in paragraph 10, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I45 Sch. para. 34 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (General Medical Services Contracts) Regulations 2004

35.—(1) The National Health Service (General Medical Services Contracts) Regulations 2004(50) are amended as follows.

(2) In regulation 2(1) (interpretation), in paragraph (b) of the definition of “supplementary prescriber”, in sub-paragraph (iv), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(3) In Schedule 6 (other contractual terms), in paragraph 80 (provision of information to a medical officer etc.), in each of paragraphs (c) and (d) of sub-paragraph (4), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(47) S.I. 2003/2461.

(48) S.I. 2003/2462.

(49) S.S.I. 2003/231. Paragraph 10 of Part 1 of Schedule 4 was substituted by S.I. 2003/1590. Other relevant amending instruments are S.I. 2004/1771 and 2007/289, S.S.I. 2007/75 and S.I. 2009/1182.

(50) S.I. 2004/291. The definition of “supplementary prescriber” in regulation 2(1) was amended by S.I. 2005/893, 2005/3315, 2006/1501, 2007/289 and 2010/231. Paragraph 80 of Schedule 6 was substituted by S.I. 2010/578.

Status: This version of this Instrument contains provisions that are prospective.

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Commencement Information

I46 Sch. para. 35 in force at 1.8.2012, see [art. 1\(2\)](#)

European Parliamentary Elections Regulations 2004

36. In Schedule 2 to the European Parliamentary Elections Regulations 2004⁽⁵¹⁾ (absent voting), in paragraph 23 (additional requirements for applications for a proxy vote on grounds of blindness or other disability)—

- (a) in sub-paragraph (2)(j), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”,
- (b) in sub-paragraph (2)(n)(i), omit “England and”, and
- (c) in sub-paragraph (3)(a), after paragraph (ii) add—
 - “(iii) the person is a social worker who qualifies by virtue of sub-paragraph (2)(j), and has arranged care or assistance for the applicant in respect of that disability; or”.

Commencement Information

I47 Sch. para. 36 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (General Medical Services Contracts) (Wales) Regulations 2004

37.—(1) The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004⁽⁵²⁾ are amended as follows.

- (2) In regulation 2(1) (interpretation)—
 - (a) in paragraph (c) of the definition of “relevant register”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
 - (b) in paragraph (b) of the definition of “supplementary prescriber”, in sub-paragraph (iv), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.
- (3) In Schedule 6 (other contractual terms), in paragraph 78 (provision of information to a medical officer etc.), in each of paragraphs (c) and (d) of sub-paragraph (4), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I48 Sch. para. 37 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (Personal Medical Services Agreements) Regulations 2004

38.—(1) The National Health Service (Personal Medical Services Agreements) Regulations 2004⁽⁵³⁾ are amended as follows.

⁽⁵¹⁾ S.I. 2004/293. Schedule 2 was substituted by S.I. 2009/186, and paragraph 23 amended by S.I. 2011/2501.
⁽⁵²⁾ S.I. 2004/478 (W. 48). The definition of “relevant register” in regulation 2(1) was amended by S.I. 2007/205, 2007/289 and 2010/231, and that of “supplementary prescriber” by S.I. 2006/358, 2007/289, 2010/231 and 2010/1647. Paragraph 78 of Schedule 6 was substituted by S.I. 2010/729.
⁽⁵³⁾ S.I. 2004/627. The definition of “supplementary prescriber” in regulation 2(1) was amended by S.I. 2005/893, 2005/3315, 2006/1501, 2007/289 and 2010/578. Paragraph 76 of Schedule 5 was substituted by S.I. 2010/578.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care Act 2012 (Consequential Provision—Social Workers) Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(2) In regulation 2(1) (interpretation), in paragraph (b) of the definition of “supplementary prescriber”, in sub-paragraph (iv), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(3) In Schedule 5 (other contractual terms), in paragraph 76 (provision of information to a medical officer etc.), in each of paragraphs (c) and (d) of sub-paragraph (4), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I49 Sch. para. 38 in force at 1.8.2012, see [art. 1\(2\)](#)

Medicines for Human Use (Clinical Trials) Regulations 2004

39. In regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004⁽⁵⁴⁾ (interpretation), in paragraph (f) of the definition of “health care professional”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001, other than a social worker registered in Part 16”.

Commencement Information

I50 Sch. para. 39 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004

40.—(1) The National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004⁽⁵⁵⁾ are amended as follows.

(2) In regulation 2(1) (interpretation), in paragraph (d) of the definition of “supplementary prescriber”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(3) In Schedule 5 (other contractual terms), in paragraph 72 (provision of information to a medical officer etc.), in each of paragraphs (c) and (d) of sub-paragraph (4), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I51 Sch. para. 40 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004

41.—(1) The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004⁽⁵⁶⁾ are amended as follows.

⁽⁵⁴⁾ [S.I. 2004/1031](#); the relevant amending instrument is [S.I. 2007/3101](#).

⁽⁵⁵⁾ [S.S.I. 2004/115](#). The definition of “supplementary prescriber” in regulation 2(1) was substituted by [S.S.I. 2006/247](#) and amended by [S.I. 2007/289](#) and [2010/231](#). Paragraph 72 of Schedule 5 was substituted by [S.S.I. 2010/93](#).

⁽⁵⁶⁾ [S.S.I. 2004/116](#). The definition of “supplementary prescriber” in regulation 2(1) was substituted by [S.S.I. 2006/248](#) and amended by [S.I. 2007/289](#) and [S.S.I. 2010/93](#). Paragraph 38 of Schedule 1 was substituted by [S.S.I. 2010/93](#).

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care Act 2012 (Consequential Provision—Social Workers) Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(2) In regulation 2(1) (interpretation), in paragraph (d) of the definition of “supplementary prescriber”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(3) In Schedule 1 (content of agreements), in paragraph 38 (provision of information to medical officer etc.), in each of paragraphs (c) and (d) of sub-paragraph (4), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I52 Sch. para. 41 in force at 1.8.2012, see [art. 1\(2\)](#)

Northern Ireland Medical and Dental Training Agency (Establishment and Constitution) Order (Northern Ireland) 2004

42. In article 5 of the Northern Ireland Medical and Dental Training Agency (Establishment and Constitution) Order (Northern Ireland) 2004(57) (disqualification for appointment), in paragraph (10)(d), for “Health Professions Order 2001 extends” substitute “Health and Social Work Professions Order 2001 extends (other than the profession of social worker)”.

Commencement Information

I53 Sch. para. 42 in force at 1.8.2012, see [art. 1\(2\)](#)

Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004

43. In regulation 2 of the Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004(58) (interpretation), in paragraph (b) of the definition of “supplementary prescriber”, in sub-paragraph (iv), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I54 Sch. para. 43 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (Pharmaceutical Services) Regulations 2005

44. In regulation 2(1) of the National Health Service (Pharmaceutical Services) Regulations 2005(59) (interpretation), in paragraph (a) of the definition of “supplementary prescriber”, in sub-paragraph (iv), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I55 Sch. para. 44 in force at 1.8.2012, see [art. 1\(2\)](#)

(57) S.R. (NI) 2004 No. 62.

(58) S.R. (NI) 2004 No. 140; the relevant amending instrument is S.R. (NI) 2005 No. 368.

(59) S.I. 2005/641. The definition of “supplementary prescriber” was substituted by S.I. 2006/913 and amended by S.I. 2007/289 and 2010/231.

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Medicines for Human Use (Prescribing) Order 2005

45. In article 1(4) of the Medicines for Human Use (Prescribing) Order 2005(**60**) (interpretation)—

- (a) in paragraph (c) of the definition of “relevant register”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) in paragraph (d) of the definition of “supplementary prescriber”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I56 Sch. para. 45 in force at 1.8.2012, see [art. 1\(2\)](#)

Gender Recognition (Disclosure of Information) (England, Wales and Northern Ireland) (No. 2) Order 2005

46. In article 5 of the Gender Recognition (Disclosure of Information) (England, Wales and Northern Ireland) (No. 2) Order 2005(**61**) (disclosure for medical purposes), in paragraph (3)(e), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I57 Sch. para. 46 in force at 1.8.2012, see [art. 1\(2\)](#)

Gender Recognition (Disclosure of Information) (Scotland) Order 2005

47. In article 5 of the Gender Recognition (Disclosure of Information) (Scotland) Order 2005(**62**) (disclosure for medical purposes), in paragraph (2)(b)(v), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I58 Sch. para. 47 in force at 1.8.2012, see [art. 1\(2\)](#)

Medicines (Traditional Herbal Medicinal Products for Human Use) Regulations 2005

48. In Schedule 1 to the Medicines (Traditional Herbal Medicinal Products for Human Use) Regulations 2005(**63**) (exemptions and exceptions from the certain registration requirements), in paragraph 1 (interpretation)—

- (a) in paragraph (c) of the definition of “relevant register”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) in paragraph (d) of the definition of “supplementary prescriber”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(60) [S.I. 2005/765](#). The definition of “relevant register” was amended by [S.I. 2005/1507](#), [2007/289](#) and [2010/231](#), and that of “supplementary prescriber” by [S.I. 2005/1507](#).

(61) [S.I. 2005/916](#), amended by [S.I. 2007/239](#) and [2010/231](#).

(62) [S.S.I. 2005/125](#), amended by [S.I. 2007/239](#) and [2010/231](#).

(63) [S.I. 2005/2750](#), amended by [S.I. 2006/914](#) and [2010/231](#).

Status: This version of this Instrument contains provisions that are prospective.

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Commencement Information

I59 Sch. para. 48 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (Local Pharmaceutical Services etc.) Regulations 2006

49. In regulation 2(1) of the National Health Service (Local Pharmaceutical Services etc.) Regulations 2006(**64**) (interpretation), in paragraph (a) of the definition of “supplementary prescriber”, in sub-paragraph (iv), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I60 Sch. para. 49 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007

50.—(1) The English language text of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007(**65**) is amended as follows.

(2) In regulation 2(1) (interpretation) —

- (a) in paragraph (c) of the definition of “relevant register”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) in paragraph (a) of the definition of “supplementary prescriber”, in sub-paragraph (iv), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(3) The Welsh language text of those regulations (Rheoliadau'r Gwasanaeth Iechyd Gwladol (Presgripsiynau am Ddim a Ffioedd am Gyffuriau a Chyfarpar) (Cymru) 2007) is amended as follows.

(4) In regulation 2(1) (dehongli)—

- (a) in paragraph (c) of the definition of “cofrestr berthnasol”, for “Orchymyn Proffesiynau Iechyd 2001” substitute “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001”, and
- (b) in paragraph (a) of the definition of “rhagnodydd atodol”, in sub-paragraph (iv), for “Orchymyn Proffesiynau Iechyd Cymru 2001” substitute “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001”.

Commencement Information

I61 Sch. para. 50 in force at 1.8.2012, see [art. 1\(2\)](#)

(64) S.I. 2006/552; the definition of “supplementary prescriber” was amended by S.I. 2006/913.

(65) S.I. 2007/121 (W. 11). The definitions of “relevant register” and “supplementary prescriber” were amended by S.I. 2010/1647.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care Act 2012 (Consequential Provision—Social Workers) Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

National Assembly for Wales (Representation of the People) Order 2007

51. In Schedule 1 to the National Assembly for Wales (Representation of the People) Order 2007(**66**) (absent voting at Assembly elections), in paragraph 4 (additional requirements for applications on grounds of blindness or other disability)—

- (a) in sub-paragraph (2)(j), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) in sub-paragraph (3)(a), after paragraph (ii) insert—
 - “(iii) the person is a social worker who qualifies by virtue of sub-paragraph (2)(j), and has arranged care or assistance for the applicant in respect of that disability; or”.

Commencement Information

I62 Sch. para. 51 in force at 1.8.2012, see [art. 1\(2\)](#)

Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007

52. In regulation 8 of the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007(**67**) (additional requirements for applications for a proxy vote for a particular or indefinite period on grounds of blindness or other disability), in paragraph (2)(j)—

- (a) for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) at the end add “, other than the profession of social worker;”.

Commencement Information

I63 Sch. para. 52 in force at 1.8.2012, see [art. 1\(2\)](#)

Safeguarding Vulnerable Groups (Northern Ireland) Order 2007

53. In article 43 of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007(**68**) (registers: duty to refer), in paragraph (7), in entry no.10 of the Table, for “Health Professions Order 2001” in column 1 substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I64 Sch. para. 53 in force at 1.8.2012, see [art. 1\(2\)](#)

(66) [S.I. 2007/236](#); relevant amending instruments are [S.I. 2009/182](#) and [2010/231](#).

(67) [S.S.I. 2007/170](#); relevant amending instruments are [S.I. 2009/182](#) and [S.S.I. 2011/211](#).

(68) [S.I. 2007/1351 \(N.I. 11\)](#).

Status: This version of this Instrument contains provisions that are prospective.

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Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008

54. In Schedule 1 to the Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008(**69**) (professional requirements), in paragraph (c), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I65 Sch. para. 54 in force at 1.8.2012, see [art. 1\(2\)](#)

Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008

55. In regulation 5 of the Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008(**70**) (eligibility to carry out a best interests assessment), in paragraph (2)(d), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I66 Sch. para. 55 in force at 1.8.2012, see [art. 1\(2\)](#)

Council for Healthcare Regulatory Excellence (Appointment, Procedure etc.) Regulations 2008

56. In regulation 2 of the Council for Healthcare Regulatory Excellence (Appointment, Procedure etc.) Regulations 2008(**71**) (conditions of appointment for chair and non-executive members of the Council), in paragraph (2)(j), for paragraph (iii) substitute—

“(iii) Health and Social Work Professions Order 2001.”.

Commencement Information

I67 Sch. para. 56 in force at 1.8.2012, see [art. 1\(2\)](#)

Mental Health (Approval of Persons to be Approved Mental Health Professionals) (Wales) Regulations 2008

57.—(1) In Schedule 1 to the English language text of the Mental Health (Approval of Persons to be Approved Mental Health Professionals) (Wales) Regulations 2008(**72**) (professional requirements), in paragraph 1(c) for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(2) In Schedule 1 to the Welsh language text of those regulations (Rheoliadau Iechyd Meddwl (Cymeradwyo Personau i fod yn Weithwyr Proffesiynol Iechyd Meddwl Cymeradwy) (Cymru) 2008) (gofynion proffesiynol) in paragraph 1(c), for “Orchymyn Proffesiynau Iechyd 2001” substitute “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001”.

(69) [S.I. 2008/1206](#).

(70) [S.I. 2008/1858](#).

(71) [S.I. 2008/2927](#); the relevant amending instrument is [S.I. 2010/231](#).

(72) [S.I. 2008/2436 \(W. 209\)](#).

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care Act 2012 (Consequential Provision—Social Workers) Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Commencement Information

I68 Sch. para. 57 in force at 1.8.2012, see [art. 1\(2\)](#)

Adult Support and Protection (Scotland) Act 2007 (Restriction on the Authorisation of Council Officers) Order 2008

58. In article 3 of the Adult Support and Protection (Scotland) Act 2007 (Restriction on the Authorisation of Council Officers) Order 2008(**73**) (restriction on the authorisation of council officers to perform investigative functions under the 2007 Act), in paragraph (2)(a)(iii), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I69 Sch. para. 58 in force at 1.8.2012, see [art. 1\(2\)](#)

Mental Capacity (Deprivation of Liberty: Assessments, Standard Authorisations and Disputes about Residence) (Wales) Regulations 2009

59.—(1) In regulation 5 of the English language text of the Mental Capacity (Deprivation of Liberty: Assessments, Standard Authorisations and Disputes about Residence) (Wales) Regulations 2009(**74**) (eligibility to carry out best interests assessments), in paragraph (1)(d), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(2) In regulation 5 of the Welsh language text of those regulations (Rheoliadau Galluedd Meddyliol (Amddifadu o Ryddid: Aseidiadau, Awdurdodiadau Safonol ac Anghydfodau ynghylch Preswyliaeth) (Cymru) 2009), in paragraph (1)(ch), for “Orchymyn Proffesiynau Iechyd 2001” substitute “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001”.

Commencement Information

I70 Sch. para. 59 in force at 1.8.2012, see [art. 1\(2\)](#)

Health Professions Council (Constitution) Order 2009

60. In article 1(2) of the Health Professions Council (Constitution) Order 2009(**75**) (interpretation), in the definition of “the Order”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I71 Sch. para. 60 in force at 1.8.2012, see [art. 1\(2\)](#)

(73) S.S.I. 2008/306.

(74) S.I. 2009/783 (W. 69).

(75) S.I. 2009/1345.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care Act 2012 (Consequential Provision—Social Workers) Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Medicines (Exemptions and Miscellaneous Amendments) Order 2009

61. In article 1(2) of the Medicines (Exemptions and Miscellaneous Amendments) Order 2009(76) (interpretation), in paragraph (d) of the definition of “supplementary prescriber”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I72 Sch. para. 61 in force at 1.8.2012, see [art. 1\(2\)](#)

National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009

62. In regulation 2(1) of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009(77) (interpretation), in paragraph (d) of the definition of “supplementary prescriber”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I73 Sch. para. 62 in force at 1.8.2012, see [art. 1\(2\)](#)

Local Commissioning Groups (Membership) Regulations (Northern Ireland) 2009

63. In regulation 2 of the Local Commissioning Groups (Membership) Regulations (Northern Ireland) 2009(78) (membership of local commissioning groups), in paragraph (2)(i), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I74 Sch. para. 63 in force at 1.8.2012, see [art. 1\(2\)](#)

Health and Social Care Act 2008 (Regulated Activities) Regulations 2010

64. In regulation 2 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010(79) (interpretation), in the definition of “the 2001 Order”, for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

Commencement Information

I75 Sch. para. 64 in force at 1.8.2012, see [art. 1\(2\)](#)

Scottish Parliament (Elections etc.) Order 2010

65. In Schedule 3 to the Scottish Parliament (Elections etc.) Order 2010(80) (absent voting), in paragraph 5 (additional requirements for applications on grounds of disability), in subparagraph (2)(i)—

(76) S.I. 2009/3062.

(77) S.S.I. 2009/183; the definition of “supplementary prescriber” was amended by S.I. 2010/231.

(78) S.R. (NI) 2009 No. 395.

(79) S.I. 2010/781.

(80) S.I. 2010/2999 (S. 9).

Status: This version of this Instrument contains provisions that are prospective.

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- (a) for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) at the end add “, other than the profession of social worker;”.

Commencement Information

I76 Sch. para. 65 in force at 1.8.2012, see [art. 1\(2\)](#)

Mental Health (Care Co-ordination and Care and Treatment Planning) (Wales) Regulations 2011

66.—(1) In Schedule 1 to the English language text of the Mental Health (Care Co-ordination and Care and Treatment Planning) (Wales) Regulations 2011(**81**) (professional requirements), in each of paragraphs (c), (d), (f), (g) and (h), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(2) In Schedule 1 to the Welsh language text of those regulations (Rheoliadau Iechyd Meddwl (Cydgysylltu Gofal a Chynllunio Gofal a Thriniaeth) (Cymru) 2011) (gofynion proffesiynol), in each of paragraphs (c), (ch), (dd), (e) and (f), for “Orchymyn Proffesiynau Iechyd 2001” substitute “Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001”.

Commencement Information

I77 Sch. para. 66 in force at 1.8.2012, see [art. 1\(2\)](#)

Healthcare Improvement Scotland (Requirements as to Independent Health Care Services) Regulations 2011

67. In regulation 1(2) of the Healthcare Improvement Scotland (Requirements as to Independent Health Care Services) Regulations 2011(**82**) (interpretation), in paragraph (f) of the definition of “health care professional”—

- (a) for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and
- (b) at the end add “, other than the profession of social worker;”.

Commencement Information

I78 Sch. para. 67 in force at 1.8.2012, see [art. 1\(2\)](#)

Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011

68. In regulation 4 of the Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011(**83**) (welfare of users), in paragraph (4)(f)—

- (a) for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”, and

(81) [S.I. 2011/2942 \(W. 318\)](#).

(82) [S.S.I. 2011/182](#), amended by [S.S.I. 2011/211](#).

(83) [S.S.I. 2011/210](#).

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care Act 2012 (Consequential Provision—Social Workers) Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(b) at the end add “, other than the profession of social worker;”.

Commencement Information

I79 Sch. para. 68 in force at 1.8.2012, see [art. 1\(2\)](#)

Mental Health (Primary Care Referrals and Eligibility to Conduct Primary Mental Health Assessments) (Wales) Regulations 2012

69.—(1) In the Schedule to the English language text of the Mental Health (Primary Care Referrals and Eligibility to Conduct Primary Mental Health Assessments) (Wales) Regulations 2012(**84**) (professional requirements), in paragraph 1(c) and (d), for “Health Professions Order 2001” substitute “Health and Social Work Professions Order 2001”.

(2) In the Schedule to the Welsh language text of those regulations (Rheoliadau Iechyd Meddwl (Atgyfeiriadau Gofal Sylfaenol a Chymhwystira i Gynnal Aseidiadau Iechyd Meddwl Sylfaenol) (Cymru) 2012) (gofynion proffesiynol) in paragraph 1(c) and 1(ch), for “Gorchymyn Proffesiynau Iechyd 2001” substitute “Gorchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001”.

Commencement Information

I80 Sch. para. 69 in force at 1.8.2012, see [art. 1\(2\)](#)

Part 2

Amendments and other provision consequential on abolition of the General Social Care Council and the transfer of its register of social workers

Jobseeker’s Allowance Regulations 1996

70. In regulation 14A of the Jobseeker’s Allowance Regulations 1996(**85**) (circumstances in which a person is to be treated as available—domestic violence), in paragraph (10), in the definition of “registered social worker”, for paragraph (a) substitute—

“(a) the Health and Care Professions Council,”.

Commencement Information

I81 Sch. para. 70 in force at 1.8.2012, see [art. 1\(2\)](#)

Public Interest Disclosure (Prescribed Persons) Order 1999

71. In the Schedule to the Public Interest Disclosure (Prescribed Persons) Order 1999(**86**) (persons to whom protected disclosures may be made), omit the entry for the General Social Care Council.

(84) [S.I. 2012/1305 \(W. 166\)](#).

(85) [S.I. 1996/207](#). Regulation 14A was inserted by [S.I. 2012/853](#).

(86) [S.I. 1999/1549](#). The Schedule was substituted by [S.I. 2003/1993](#); there are no amendments relevant to the entry for the General Social Care Council.

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care Act 2012 (Consequential Provision—Social Workers) Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Commencement Information

182 Sch. para. 71 in force at 1.8.2012, see [art. 1\(2\)](#)

Northern Ireland Social Care Council (Appointments and Procedure) Regulations (Northern Ireland) 2001

72. In regulation 4 of the Northern Ireland Social Care Council (Appointments and Procedure) Regulations (Northern Ireland) 2001(**87**) (disqualification for appointment), in paragraph (1)—

- (a) in sub-paragraph (e), for “General Social Care Council,” substitute “Health and Care Professions Council,”;
- (b) in sub-paragraph (f), after “of the Act,” insert “in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001,”.

Commencement Information

183 Sch. para. 72 in force at 1.8.2012, see [art. 1\(2\)](#)

Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004

73. In Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004(**88**) (Employment Tribunals rules of procedure), in the Annex(**89**) (list of regulators), omit the entry for the General Social Care Council.

Commencement Information

184 Sch. para. 73 in force at 1.8.2012, see [art. 1\(2\)](#)

Adoption Agencies Regulations 2005

74.—(1) The Adoption Agencies Regulations 2005(**90**) are amended as follows.

(2) In regulation 2 (interpretation), in the definition of “social worker”, for “a register maintained by the General Social Care Council or” substitute “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in the register maintained by”.

(3) In regulation 37 (independent reviewing officers), in paragraph (2), for “a register maintained by the General Social Care Council or” substitute “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in the register maintained”.

Commencement Information

185 Sch. para. 74 in force at 1.8.2012, see [art. 1\(2\)](#)

(87) S.R. (NI) 2001 No. 313.

(88) S.I. 2004/1861.

(89) The Annex was inserted by S.I. 2010/131 and amended by S.I. 2011/2581 and 2012/725.

(90) S.I. 2005/389.

Status: This version of this Instrument contains provisions that are prospective.

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Adoption Agencies (Wales) Regulations 2005

75.—(1) In regulation 2 of the English language text of the Adoption Agencies (Wales) Regulations 2005⁽⁹¹⁾ (interpretation), in the definition of “social worker”, for “a register maintained by the Care Council for Wales or the General Social Care Council under section 56 of the Care Standards Act 2000” substitute “the register maintained by the Care Council for Wales under section 56 of the Care Standards Act 2000, in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001.”.

(2) In regulation 2 of the Welsh language text of those regulations (Rheoliadau Asiantaethau Mabwysiadu (Cymru) 2005) (dehongli), in the definition of “gweithiwr cymdeithasol”, for “mewn cofrestr a gynhelir gan Gyngor Gofal Cymru neu’r Cyngor Gofal Cymdeithasol Cyffredinol o dan adran 56 o Ddeddf Safonau Gofal 2000” substitute “yn y gofrestr a gynhelir gan Gyngor Gofal Cymdeithasol Cymru o dan adran 56 o Ddeddf Safonau Gofal 2000, yn Rhan 16 o’r gofrestr a gynhelir gan Gyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001.”.

Commencement Information

I86 Sch. para. 75 in force at 1.8.2012, see [art. 1\(2\)](#)

Regulation of Care (Social Service Workers) (Scotland) Order 2005

76. In article 3 of the Regulation of Care (Social Service Workers) (Scotland) Order 2005⁽⁹²⁾ (persons excluded from description of social service worker), in paragraph (1), omit subparagraph (a).

Commencement Information

I87 Sch. para. 76 in force at 1.8.2012, see [art. 1\(2\)](#)

Regulation of Care (Prescribed Registers) (Scotland) Order 2005

77. In article 2 of the Regulation of Care (Prescribed Registers) (Scotland) Order 2005⁽⁹³⁾ (prescribed registers), for paragraph (a) substitute—

“(a) Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001;”.

Commencement Information

I88 Sch. para. 77 in force at 1.8.2012, see [art. 1\(2\)](#)

⁽⁹¹⁾ S.I. 2005/1313 (W. 95).

⁽⁹²⁾ S.S.I. 2005/318. Article 3 has been amended by S.I. 2009/1182 and 2010/231.

⁽⁹³⁾ S.S.I. 2005/432.

Status: This version of this Instrument contains provisions that are prospective.

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Registration of Social Care Workers (Relevant Registers) Regulations (Northern Ireland) 2005

78. In regulation 2 of the Registration of Social Care Workers (Relevant Registers) Regulations (Northern Ireland) 2005⁽⁹⁴⁾ (prescription of relevant registers), for paragraph (a) substitute—

“(a) Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001;”.

Commencement Information

189 Sch. para. 78 in force at 1.8.2012, see [art. 1\(2\)](#)

Permitted Persons (Designation) Order 2006

79. In article 2 of the Permitted Persons (Designation) Order 2006⁽⁹⁵⁾ (which designates persons who may make disclosures to the Judicial Appointments Commission), in entry no. 12, for “the General Social Care Council;” substitute “the Health and Care Professions Council (but in relation to social workers only);”.

Commencement Information

190 Sch. para. 79 in force at 1.8.2012, see [art. 1\(2\)](#)

Review of Children’s Cases (Wales) Regulations 2007

80.—(1) In regulation 3 of the English language text of the Review of Children’s Cases (Wales) Regulations 2007⁽⁹⁶⁾ (independent reviewing officers), in paragraph (3)—

- (a) omit “or by the General Social Care Council,” and
- (b) after “2000” insert “, in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001;”.

(2) Regulation 3 of the Welsh language text of those regulations (Rheoliadau Adolygu Achosion Plant (Cymru) 2007) (swyddogion adolygu annibynnol), in paragraph (3)—

- (a) omit “neu gan y Cyngor Gofal Cymdeithasol Cyffredinol,” and
- (b) after “2000” insert “, yn Rhan 16 o’r gofrestr a gynhelir gan Gyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001;”.

Commencement Information

191 Sch. para. 80 in force at 1.8.2012, see [art. 1\(2\)](#)

⁽⁹⁴⁾ S.R. (NI) 2005 No. 227.

⁽⁹⁵⁾ S.I. 2006/679.

⁽⁹⁶⁾ S.I. 2007/307 (W. 26).

Status: This version of this Instrument contains provisions that are prospective.

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Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian Regulations 2007

81. In regulation 8 of the Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian Regulations 2007⁽⁹⁷⁾ (persons who may provide an LPA certificate), in paragraph (4), in the definition of “registered social worker”, for paragraph (a) substitute—

“(a) the Health and Care Professions Council;”.

Commencement Information

I92 Sch. para. 81 in force at 1.8.2012, see [art. 1\(2\)](#)

European Communities (Recognition of Professional Qualifications) Regulations 2007

82. In the European Communities (Recognition of Professional Qualifications) Regulations 2007⁽⁹⁸⁾, in Schedule 1 (regulated professions), in the entry for “Social Worker in England” in the Table in Part 1, in column 2, for “General Social Care Council” substitute “Health and Care Professions Council”.

Commencement Information

I93 Sch. para. 82 in force at 1.8.2012, see [art. 1\(2\)](#)

Legislative and Regulatory Reform (Regulatory Functions) Order 2007

83. In the Schedule to the Legislative and Regulatory Reform (Regulatory Functions) Order 2007⁽⁹⁹⁾ (which lists regulatory functions to which sections 21 and 22 of the Legislative and Regulatory Reform Act 2006 apply), in Part 1A, omit “The General Social Care Council”.

Commencement Information

I94 Sch. para. 83 in force at 1.8.2012, see [art. 1\(2\)](#)

Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008

84.—(1) The Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008⁽¹⁰⁰⁾ are amended as follows.

(2) In regulation 2 (interpretation), omit the definition of “General Social Care Council”.

(3) In regulation 3 (granting approval as AMHP), in paragraph (3), for “the General Social Care Council or” substitute “the Health and Care Professions Council under section 114ZA of the Mental Health Act 1983 or by”⁽¹⁰¹⁾.

(4) In Schedule 1 (professional requirements)—

(a) omit paragraph (a), and

⁽⁹⁷⁾ [S.I. 2007/1253](#).

⁽⁹⁸⁾ [S.I. 2007/2781](#); there are no amendments relevant to the entry in Schedule 1 for “Social Worker in England”.

⁽⁹⁹⁾ [S.I. 2007/3544](#). Part 1A of the Schedule was inserted by [S.I. 2009/2981](#).

⁽¹⁰⁰⁾ [S.I. 2008/1206](#).

⁽¹⁰¹⁾ Section 114ZA of the Mental Health Act 1983 ([c.20](#)) is inserted by section 217(2) of the Health and Social Care Act 2012 ([c.7](#)).

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Social Care Act 2012 (Consequential Provision—Social Workers) Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(b) in paragraph (c), after “Part 6” insert “, or a social worker registered in Part 16,”.

(5) In relation to a course approved before 1st August 2012, regulations 2 and 3 of these Regulations are to be treated as continuing to have effect as if they had not been amended by subparagraphs (2) and (3) of this paragraph.

Commencement Information

195 Sch. para. 84 in force at 1.8.2012, see [art. 1\(2\)](#)

Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008

85.—(1) The Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008(**102**) are amended as follows.

(2) In regulation 2 (interpretation), omit the definition of “General Social Care Council”.

(3) In regulation 5 (eligibility to carry out a best interests assessment), in paragraph (2)—

(a) omit sub-paragraph (b), and

(b) in sub-paragraph (d), after “Part 6” insert “, or a social worker registered in Part 16,”.

Commencement Information

196 Sch. para. 85 in force at 1.8.2012, see [art. 1\(2\)](#)

Independent Review of Determinations (Adoption and Fostering) Regulations 2009

86. In regulation 2 of the Independent Review of Determinations (Adoption and Fostering) Regulations 2009(**103**) (interpretation), in the definition of “social worker”, for “in a register maintained by the General Social Care Council or” substitute “in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in a register maintained by”.

Commencement Information

197 Sch. para. 86 in force at 1.8.2012, see [art. 1\(2\)](#)

Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010

87.—(1) In regulation 2 of the English language text of the Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010(**104**) (interpretation), in the definition of “social worker”, for “in a register maintained by the General Social Care Council or” substitute “in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in a register maintained by”.

(2) In regulation 2 of the Welsh language text of those Regulations 2010 ([Rheoliadau Adolygu Penderfyniadau'n Annibynnol \(Mabwysiadu a Maethu\) \(Cymru\) 2010](#)) (dehongli), in the definition of “gweithiwr cymdeithasol”, for “ar gofrestr a gynhelir gan y Cyngor Gofal Cymdeithasol

(102)S.I. 2008/1858.

(103)S.I. 2009/395.

(104)S.I. 2010/746 (W. 75).

Status: This version of this Instrument contains provisions that are prospective.

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Cyffredinol neu” substitute “yn Rhan 16 o’r gofrestr a gynhelir gan Gyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001, mewn cofrestr a gynhelir gan”.

Commencement Information

I98 Sch. para. 87 in force at 1.8.2012, see [art. 1\(2\)](#)

Health and Social Care Act 2008 (Regulated Activities) Regulations 2010

88.—(1) The Health and Social Care Act 2008 (Regulated Activities) Regulations 2010(**105**) are amended as follows.

(2) In regulation 21 (requirements relating to workers), in paragraph (d)(ii), for “social care worker registered with the General Social Care Council,” substitute “social worker registered in Part 16 of the register maintained by the Health and Care Professions Council.”.

(3) In Schedule 1 (regulated activities), in paragraph 5 (treatment of disease, disorder or injury), in sub-paragraph (4)(g), for “with” to the end substitute “in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001.”.

Commencement Information

I99 Sch. para. 88 in force at 1.8.2012, see [art. 1\(2\)](#)

Care Planning, Placement and Case Review (England) Regulations 2010

89. In regulation 46 of the Care Planning, Placement and Case Review (England) Regulations 2010(**106**) (qualifications and experience of independent reviewing officers), in paragraph (1), for “a register maintained by the General Social Care Council or” substitute “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in the register maintained”.

Commencement Information

I100 Sch. para. 89 in force at 1.8.2012, see [art. 1\(2\)](#)

Scottish Parliament (Disqualification) Order 2010

90. In Part 1 of the Schedule to the Scottish Parliament (Disqualification) Order 2010(**107**) (office-holders disqualified from being a member of the Scottish Parliament), omit “Any member of the General Social Care Council.”.

Commencement Information

I101 Sch. para. 90 in force at 1.10.2012 for specified purposes, see [art. 1\(2\)](#)

(105)S.I. 2010/781.
(106)S.I. 2010/959.
(107)S.I. 2010/2476.

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Fostering Services (England) Regulations 2011

91. In regulation 23 of the Fostering Services (England) Regulations 2011(**108**) (constitution and membership of fostering panel), in paragraph (10)(b), for “a register maintained by the General Social Care Council or” substitute “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in the register maintained”.

Commencement Information

I102 Sch. para. 91 in force at 1.8.2012, see [art. 1\(2\)](#)

Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011

92. In regulation 18 of the Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011(**109**) (appointment of independent reviewing officer), in paragraph (2), for “a register maintained by the General Social Care Council or” substitute “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in the register maintained”.

Commencement Information

I103 Sch. para. 92 in force at 1.8.2012, see [art. 1\(2\)](#)

Mental Health (Care Co-ordination and Care and Treatment Planning) (Wales) Regulations 2011

93.—(1) In Schedule 1 to the English language text of the Mental Health (Care Co-ordination and Care and Treatment Planning) (Wales) Regulations 2011(**110**) (professional requirements), in paragraph (a), for “the General Social Care Council” substitute “in Part 16 of the register maintained under article 5 of the Health and Social Work Professions Order 2001”.

(2) In Schedule 1 to the Welsh language text of those regulations (Rheoliadau Iechyd Meddwl (Cydgysylltu Gofal a Chynllunio Gofal a Thriniaeth) (Cymru) 2011), (gofynion proffesiynol), in paragraph (a), for “y Cyngor Gofal Cymdeithasol Cyffredinol” substitute “yn Rhan 16 o'r gofrestr a gynhelir gan Gyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001”.

Commencement Information

I104 Sch. para. 93 in force at 1.8.2012, see [art. 1\(2\)](#)

(108) S.I. 2011/581.

(109) S.I. 2011/582.

(110) S.I. 2011/2942 (W. 318).

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Integrated Family Support Teams (Composition of Teams and Board Functions) (Wales) Regulations 2012

94.—(1) In regulation 1(2) of the English language text of the Integrated Family Support Teams (Composition of Teams and Board Functions) (Wales) Regulations 2012(**111**) (interpretation), in the definition of “social worker”, omit “the General Social Care Council,”.

(2) In regulation 1(2) of the Welsh language text of those regulations (**Rheoliadau Timau Integredig Cymorth i Deuluoedd (Cyfansoddiad Timau a Swyddogaethau Byrddau) (Cymru) 2012**) (dehongli), in the definition of “gweithiwr cymdeithasol”, omit “y Cyngor Gofal Cymdeithasol Cyffredinol”.

Commencement Information

1105 Sch. para. 94 in force at 1.8.2012, see [art. 1\(2\)](#)

Mental Health (Primary Care Referrals and Eligibility to Conduct Primary Mental Health Assessments) (Wales) Regulations 2012

95.—(1) In the Schedule to the English language text of the Mental Health (Primary Care Referrals and Eligibility to Conduct Primary Mental Health Assessments) (Wales) Regulations 2012(**112**) (professional requirements), in paragraph 1(a), for “the General Social Care Council” substitute “in Part 16 of the register maintained under article 5 of the Health and Social Work Professions Order 2001”.

(2) In the Schedule to the Welsh language text of those regulations (**Rheoliadau Iechyd Meddwl (Atgyfeiriadau Gofal Sylfaenol a Chymhwysra i Gynnal Aseidiadau Iechyd Meddwl Sylfaenol) (Cymru) 2012**) (gofynion proffesiynol) in paragraph 1(a), for “y Cyngor Gofal Cymdeithasol Cyffredinol” substitute “yn Rhan 16 o'r gofrestr a gynhelir gan Gyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001”.

Commencement Information

1106 Sch. para. 95 in force at 1.8.2012, see [art. 1\(2\)](#)

PROSPECTIVE

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments in subordinate legislation consequential on the abolition on 1st October 2012 of the General Social Care Council (“the GSCC”), and, before that, the transfer of

(111) S.I. 2012/202 (W. 33).

(112) S.I. 2012/1305 (W. 166).

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its register on 1st August 2012 to the Health and Care Professions Council (“the HCPC”), as the Health Professions Council will be known from that date. The Act which provides for this is the Health and Social Care Act 2012, under which this Order is made. That Act itself deals with the change of name of the Health Professions Council, by providing that in future any reference to it by that name in any instrument or document is to be read as a reference to the Health and Care Professions Council (paragraph 53(1) of Schedule 15 to the Act). That Act also re-named the main instrument under which the Health Professions Council operates: it is currently called the Health Professions Order 2001 but from 1st August it is to be known as the Health and Social Work Professions Order 2001.

The GSCC is the regulatory body for social workers. Its register of social workers is transferred to the HCPC under a related Order, the General Social Care Council (Transfer of Register and Abolition—Transitional and Saving Provision) Order of Council 2012.

Articles 2 to 10 of this Order amend instruments relating to the HCPC (as it will become known) to reflect the change of name of the Health Professions Order 2001, to make provision for that part of the HCPC’s register (Part 16) which will relate to social workers, to substitute “registrant” for “health professional” in those instruments, and generally to accommodate social workers within the regulatory framework of the HCPC.

Part 1 of the Schedule to this Order makes amendments in subordinate legislation to reflect the change of name of the Health Professions Order 2001.

Part 2 of the Schedule makes amendments in subordinate legislation which are consequential on the transfer of the GSCC’s register to the HCPC and on the abolition of the GSCC. In one case (at paragraph 84 of the Schedule) it is necessary also to preserve the effect of the former wording in relation to courses approved by the GSCC before 1st August 2012.

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/Publications/PublicationsLegislation/DH_123583.

Status:

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Changes and effects yet to be applied to :

- Sch. para. 1 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 2 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 3 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 4 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 5 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 6 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 7 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 8 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 9 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 10 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 11 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 12 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 13 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 14 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 15 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 16 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 17 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 18 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 19 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 20 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 21 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 22 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 23 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 24 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 25 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 26 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 27 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 28 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 29 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 30 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 31 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 32 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 33 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 34 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 35 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 36 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 37 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 38 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 39 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 40 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 41 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 42 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 43 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 44 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- Sch. para. 45 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)

- art. 4 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
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- art. 9 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- art. 10 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- art. 11 coming into force by [S.I. 2012/1479 art. 1\(2\)](#)
- art. 11 revoked by [S.I. 2015/2059 Sch. 6](#)