STATUTORY INSTRUMENTS

2016 No. 693

HEALTH CARE AND ASSOCIATED PROFESSIONS

The Health and Care Professions Council (Miscellaneous Amendments) Rules Order of Council 2016

Made - - - -	*29th June 2016*
Laid before Parliament	*1st July 2016*
Laid before the Scottish Parliament - - - -	*1st July 2016*
Coming into force - -	*3rd October 2016*

At the Council Chamber, Whitehall the 29th day of June 2016

By the Lords of Her Majesty's Most Honourable Privy Council

The Health and Care Professions Council has made the Health and Care Professions Council (Miscellaneous Amendments) Rules 2016 which are set out in the Schedule to this Order, in exercise of the powers conferred by articles 5(2)(b), 7(1) and (2), 9(2), 26(3), 32(4) and 41(2) of the Health and Social Work Professions Order 2001(**1**).

In accordance with articles 5(3), 7(1) and (3) and 41(3) of that Order, the Health and Care Professions Council has consulted the Education and Training Committee and representatives of groups of persons it considers appropriate, including representatives of the groups referred to in articles 3(14) and 41(3) of that Order.

By virtue of articles 41(1) and 42(1) of that Order, the Rules shall not come into force until approved by order of the Privy Council.

Citation and commencement

1. This Order may be cited as the Health and Care Professions Council (Miscellaneous Amendments) Rules Order of Council 2016 and comes into force on 3rd October 2016.

(**1**) S.I. 2002/254. By virtue of section 214 of the Health and Social Care Act 2012 (c. 7), the body corporate known as the Health Professions Council was re-named the "Health and Care Professions Council" and the Health Professions Order 2001 was renamed the "Health and Social Work Professions Order 2001".

Privy Council approval

2. Their Lordships, having taken the Rules contained in the Schedule to this Order into consideration, are pleased to and do approve them.

Richard Tilbrook
Clerk of the Privy Council

SCHEDULE Article 2

The Health and Care Professions Council (Miscellaneous Amendments) Rules 2016

The Health and Care Professions Council makes the following Rules in exercise of the powers conferred by articles 5(2)(b), 7(1) and (2), 9(2), 26(3), 32(4) and 41(2) of the Health and Social Work Professions Order 2001(**2**).

In accordance with articles 7(1) and (3) and 41(3) of that Order, the Health and Care Professions Council has consulted the Education and Training Committee and representatives of groups of persons it considers appropriate, including representatives of the groups listed in article 41(3) of that Order.

Citation and commencement

1. These Rules may be cited as the Health and Care Professions Council (Miscellaneous Amendments) Rules 2016 and come into force on 3rd October 2016.

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

2.—(1) The Health and Care Professions Council (Registration and Fees) Rules 2003(**3**) are amended as follows.

(2) After rule 2 (interpretation) insert—

"**Electronic communication**

2ZA.—(1) A requirement in these Rules for a person to send to, or serve upon, another person ("the recipient") any document may be satisfied by—

(a) sending it by post to the recipient; or

(b) transmitting it by electronic means to the recipient: this is subject to paragraph (2).

(2) But a document may only be sent or served by electronic means if the recipient has, in writing (which includes in electronic form), notified the sender and has not withdrawn that notification that the recipient is willing to receive documents of that kind by those means.

(3) For the purposes of paragraph (2), where the intended recipient—

(a) is not the Council, the Committee or the Registrar, the recipient must provide the sender with the recipient's e-mail address;

(b) is the Council, the Committee or the Registrar, the recipient must publish on the Council's website an e-mail address or other electronic identification to which a document may be sent.

(4) This rule does not apply to an application for—

(a) admission to the register pursuant to rule 4:this is subject to paragraph(2) of that rule; or

(b) renewal of registration pursuant to rule 11:this is subject to paragraph (2)(b) of that rule.".

(3) For rule 4 (applications for registration), substitute—

(**2**) S.I. 2002/254. By virtue of section 214 of the Health and Social Care Act 2012 (c. 7), the body corporate known as the Health Professions Council was re-named the "Health and Care Professions Council" and the Health Professions Order 2001 was renamed the "Health and Social Work Professions Order 2001".

(**3**) S.I. 2003/1572. The title to the Rules was amended to read the "Health and Care Professions (Registration and Fees) Rules 2003" by rule 2 of S.I. 2014/532 to reflect the change in the Council's name (see footnote (a)).