

**Allied Health Professions (Professional Conduct and Discipline) Regulations
2013**

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No. S 220

ALLIED HEALTH PROFESSIONS ACT 2011 (ACT 1 OF 2011)

ALLIED HEALTH PROFESSIONS (PROFESSIONAL CONDUCT AND DISCIPLINE) REGULATIONS 2013

In exercise of the powers conferred by section 75 of the Allied Health Professions Act 2011, the Allied Health Professions Council, with the approval of the Minister for Health, hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Allied Health Professions (Professional Conduct and Discipline) Regulations 2013 and shall come into operation on 15th April 2013.

Definitions

2. In these Regulations, unless the context otherwise requires —

“Council’s solicitor” means an advocate and solicitor appointed under section 68 of the Act;

“counsel” means an advocate and solicitor representing a registered allied health professional in any disciplinary proceedings under the Act;

“disciplinary offence” means an act or omission in respect of which a registered allied health professional may be subject to disciplinary proceedings under the Act;

“legal assessor” means an assessor appointed under section 70(1) of the Act;

“party” means a party to an inquiry by a Disciplinary Tribunal.

PART II

PROFESSIONAL CONDUCT AND DISCIPLINE

Professional conduct and ethics

3. Every registered allied health professional shall observe the pronouncements on professional matters and professional ethics issued from time to time by the Council.

Notice of inquiry

4.—(1) Where a Disciplinary Tribunal has been appointed under section 50(1) of the Act, the Council’s solicitor shall send a notice set out in Form 1 of the First Schedule to the registered allied health professional concerned.

(2) The notice referred to in paragraph (1) shall —

- (a) specify, in the form of a charge or charges determined by the Complaints Committee or (where the matter is referred to the Disciplinary Tribunal under section 39(4) or 49(13)(c)(i) of the Act) the Council, the matters which the Disciplinary Tribunal will inquire into;
- (b) state the date, time and place at which the inquiry will be held;
- (c) be sent —
 - (i) by delivering it to the registered allied health professional, an adult member of his family, or an employee of his family or of his practice, at the registered allied health professional’s last known address; or
 - (ii) by registered post addressed to the registered allied health professional at his last known address; and
- (d) be accompanied by a copy of the report of any expert witness whom the Council’s solicitor intends to call at the inquiry.

(3) An inquiry shall not be held earlier than 28 days after the date of the notice of inquiry except with the agreement of the registered allied health professional.

Postponement or adjournment