



Medical Act 1983

1983 CHAPTER 54

PART II

MEDICAL EDUCATION AND REGISTRATION: PERSONS QUALIFYING IN THE UNITED KINGDOM AND ELSEWHERE IN THE EEC.

3 Registration by virtue of primary United Kingdom or primary European qualifications.

(1) Subject to the provisions of this Act any person [^{F1}whose fitness to practise is not impaired and] who—

[^{F2}(a) holds one or more primary United Kingdom qualifications and has satisfactorily completed an acceptable programme for provisionally registered doctors; or]

(b) being a national of [^{F3}any relevant European State], holds one or more primary European qualifications,

is entitled to be registered under this section as a fully registered medical practitioner.

(2) Any person who—

(a) is not a national of [^{F4}a relevant European State]; but

[^{F5}(b) is, by virtue of an enforceable [^{F6}EU] right, entitled to be treated, for the purposes of access to and pursuit of the medical profession, no less favourably than a national of a relevant European State,]

shall be treated for the purposes of subsection (1)(b) above as if he were such a national.

^{F7}(3)

Textual Amendments

F1 Words in s. 3(1) inserted (19.7.2006 for specified purposes, 19.10.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), arts. 1(2)(b)(c)(3), **45**

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- F2** S. 3(1)(a) substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **20**
- F3** Words in s. 3(1)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **4(a)**
- F4** Words in s. 3(2)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **4(b)(i)**
- F5** S. 3(2)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **4(b)(ii)**
- F6** Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, **3**, 6 (with arts. 3(2)(3), 4(2), 6(4)(5))
- F7** S. 3(3) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **4(c)**

4 Qualifying examinations and primary United Kingdom qualifications.

- [^{F8}(1) Subject to the provisions of this Part of this Act, a qualifying examination for the purposes of this Part of this Act is an examination held for the purpose of granting one or more primary United Kingdom qualifications by any one of the bodies or combinations of bodies in the United Kingdom which are included in a list maintained by the General Council of the bodies and combinations of bodies entitled to hold such examinations.
- (1A) The General Council may from time to time amend the list.
- (1B) The list maintained under subsection (1) shall be published in such manner as the General Council see fit.
- (1C) The General Council shall only include in the list maintained under subsection (1) bodies or combinations of bodies that require from candidates at examinations a standard of proficiency that conforms to the prescribed standard of proficiency.
- (1D) If the General Council have formed the provisional opinion that a body or combination of bodies included in the list maintained under subsection (1) should be removed from the list, they shall notify that opinion in writing to the body or combination of bodies concerned and shall allow them a reasonable opportunity to respond before determining whether or not to remove the body or combination of bodies from the list.]
- (3) In this Act “primary United Kingdom qualification” means any of the following qualifications, namely—
- (a) the degree of bachelor of medicine or bachelor of surgery granted by [^{F9}a body or combination of bodies included in the list maintained under subsection (1)];
 - (b) licentiate of the Royal College of Physicians of London [^{F10}or the Royal College of Surgeons of England] or the Royal College of Physicians of Edinburgh or the Royal College of Surgeons of Edinburgh or the Royal College (formerly Royal Faculty) of Physicians and Surgeons of Glasgow;
 - (c) membership of the Royal College of Surgeons of England [^{F10}granted before the coming into force of section 1 of the Medical Qualifications (Amendment) Act 1991];
 - (d) licentiate in medicine and surgery of the Society of Apothecaries of London.
- (4) Any two or more of the [^{F11}bodies and combinations of bodies included in the list maintained under subsection (1)] may, with the approval and under the directions of

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[^{F12}the General Council], unite or co-operate in conducting examinations held for the purpose of granting primary United Kingdom qualifications.

[^{F13}(4A) If a body or combination of bodies is removed from the list maintained under subsection (1), primary United Kingdom qualifications granted by that body or combination of bodies during the period in respect of which it was on the list are still to be considered primary United Kingdom qualifications after that removal.]

^{F14}(5)

Textual Amendments

- F8** S. 4(1)-(1D) substituted for s. 4(1)(2) (3.11.2008) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 3(a)**; S.I. 2008/2556, art. 2(1)(a)
- F9** Words in s. 4(3)(a) substituted (3.11.2008) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 3(b)**; S.I. 2008/2556, art. 2(1)(a)
- F10** Words in s. 4(3)(b) inserted (30.3.1992) by [Medical Qualifications \(Amendment\) Act 1991 \(c. 38, SIF 83:1\)](#), **s. 1(a)**; S.I. 1992/804, **art. 2**
Words in s. 4(3)(c) inserted (30.3.1992) by [Medical Qualifications \(Amendment\) Act 1991 \(c. 38, SIF 83:1\)](#), **s. 1(b)**; S.I. 1992/804, **art. 2**
- F11** Words in s. 4(4) substituted (3.11.2008) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 3(c)**; S.I. 2008/2556, art. 2(1)(a)
- F12** Words in Act substituted (1.1.2009) by [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), **Sch. 1 para. 7(1)(2)**
- F13** S. 4(4A) inserted (3.11.2008) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 3(d)**; S.I. 2008/2556, art. 2(1)(a)
- F14** S. 4(5) omitted (18.8.2004) by virtue of [The European Qualifications \(Health and Social Care Professions and Accession of New Member States\) Regulations 2004 \(S.I. 2004/1947\)](#), regs. 1(2), **3(3)**

5 General functions of [^{F12}the General Council] in relation to medical education in the United Kingdom.

- (1) [^{F12}The General Council] shall have the general function of promoting high standards of medical education and co-ordinating all stages of medical education.
- (2) For the purpose of discharging that function [^{F12}the General Council] shall—
 - (a) determine the extent of the knowledge and skill which is to be required for the granting of primary United Kingdom qualifications and secure that the instruction given [^{F15}in or under the direction of bodies or combinations of bodies] in the United Kingdom to persons studying for such qualifications is sufficient to equip them with knowledge and skill of that extent;
 - (b) determine the standard of proficiency which is to be required from candidates at qualifying examinations and secure the maintenance of that standard; and
 - [^{F16}(c) discharge their functions under section 10A below in respect of programmes for provisionally registered doctors.]

[^{F17}(2A) In making the determinations required by [^{F18}subsection (2)(a) or (b) above or discharging their functions mentioned in subsection (2)(c) above,][^{F12}the General

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Council] shall secure that the requirements of [^{F19}article 24 of the Directive (basic medical training)] are satisfied.

^{F20}(2B)]

[^{F21}(3) Determinations of [^{F12}the General Council] under subsection (2)(a) or (b) above shall be published in such manner as they see fit.

(3A) Such determinations—

- (a) are binding on [^{F22}bodies or combinations of bodies] concerned with medical education as regards the matters to which they relate; and
- (b) accordingly, those [^{F22}bodies or combinations of bodies] must act in accordance with them as regards the matters to which they relate.]

(4) In this Act—

[^{F23}“the Directive” means Directive [2005/36/EC](#) of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications (OJ No. L255, 30.09.2005, p.22), and any reference in this Act to the Directive or to any provision of the Directive is a reference to the Directive, or to that provision of the Directive, as amended from time to time;]

“the prescribed knowledge and skill” means knowledge and skill of the extent for the time being determined under subsection (2)(a) above and [^{F24}set out in determinations published] under subsection (3) above;

“the prescribed standard of proficiency” means the standard of proficiency for the time being determined under subsection (2)(b) above and [^{F25}set out in determinations published] under subsection (3) above;

^{F26}

Textual Amendments

- F12** Words in Act substituted (1.1.2009) by [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), Sch. 1 para. 7(1)(2)
- F15** Words in s. 5(2)(a) substituted (3.11.2008) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 4(a)**; S.I. 2008/2556, art. 2(1)(a)
- F16** S. 5(2)(c) substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(a)**
- F17** S. 5(2A)(2B) inserted (10.7.1996) by [S.I. 1996/1591](#), **reg. 3(2)**
- F18** Words in s. 5(2A) substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(b)**
- F19** Words in s. 5(2A) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **5(a)**
- F20** S. 5(2B) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **5(b)**
- F21** S. 5(3)(3A) substituted for s. 5(3) (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(c)**
- F22** Words in s. 5(3A) substituted (3.11.2008) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 4(b)**; S.I. 2008/2556, art. 2(1)(a)

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- F23** Words in s. 5(4) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **5(c)**
- F24** Words in s. 5(4) substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(d)(i)**
- F25** Words in s. 5(4) omitted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by virtue of [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(d)(ii)**
- F26** Words in s. 5(4) omitted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by virtue of [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(d)(iii)**

6 Further powers of ^{F12}the General Council].

- (1) A ^{F27}body or combination of bodies] in the United Kingdom granting any primary United Kingdom qualification or any additional qualification for the time being registrable under section 16 below shall from time to time, when so required by ^{F12}the General Council], furnish ^{F28}the General Council] with such information as ^{F28}the General Council] may require as to—
- the courses of study and examinations to be gone through in order to obtain the qualification;
 - the ages at which such courses of study and examinations are required to be gone through;
 - the age at which the qualification is granted; and
 - generally the requisites for obtaining the qualification.
- (2) For the purpose of securing the maintenance of the prescribed standard of proficiency ^{F12}the General Council] may appoint such number of inspectors as they may determine, and the inspectors shall attend, as ^{F28}the General Council] may direct, all or any of the qualifying examinations held by any ^{F29}body or combination of bodies included in the list maintained under section 4(1)].
- (3) Any person deputed for the purpose by ^{F12}the General Council] may attend and be present at any examination held in the United Kingdom which has to be gone through in order to obtain a primary United Kingdom qualification or any additional qualification for the time being registrable under section 16 below.
- (4) Inspectors appointed under subsection (2) above shall not interfere with the conduct of any examination, but it shall be their duty to report to ^{F12}the General Council] their opinion as to the sufficiency of every examination which they attend, and any other matters relating to such examinations which ^{F28}the General Council] may require them to report.
- (5) ^{F12}The General Council] shall forward a copy of every report of the inspectors to the body or each of the bodies who held the examination to which the report relates^{F30}....

Textual Amendments

- F12** Words in Act substituted (1.1.2009) by [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), Sch. 1 para. 7(1)(2)

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- F27** Words in s. 6(1) substituted (3.11.2008) by The Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 (S.I. 2008/1774), art. 1(5), **Sch. 1 para. 5(a)**; S.I. 2008/2556, art. 2(1)(a)
- F28** Words in Act substituted (1.1.2009) by The Medical Profession (Miscellaneous Amendments) Order 2008 (S.I. 2008/3131), Sch. 1 para. 7(1)(3)
- F29** Words in s. 6(2) substituted (3.11.2008) by The Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 (S.I. 2008/1774), art. 1(5), **Sch. 1 para. 5(b)**; S.I. 2008/2556, art. 2(1)(a)
- F30** Words in s. 6(5) omitted (3.11.2008) by virtue of The Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 (S.I. 2008/1774), art. 1(5), **Sch. 1 para. 5(c)**; S.I. 2008/2556, art. 2(1)(a)

7 Power to appoint visitors of medical schools.

- (1) [^{F12}The General Council] may appoint persons to visit^{F31} ... places where instruction is given to medical students under the direction of any [^{F32}body or combination of bodies included in the list maintained under section 4(1)].
- (2) It shall be the duty of visitors appointed under subsection (1) above to report to [^{F12}the General Council] as to the sufficiency of the instruction given in the places which they visit and as to any other matters relating to the instruction which may be specified by [^{F28}the General Council] either generally or in any particular case; but no visitor shall interfere with the giving of any instruction.
- (3) On the receipt of any report of a visitor under subsection (2) above [^{F12}the General Council] shall send a copy of the report to the [^{F33}body or combination of bodies] under whose direction the instruction is given, and on the receipt of the copy that body [^{F34}or combination of bodies] may, within such period of not less than one month as [^{F28}the General Council] may have specified at the time they sent the copy of the report, make to [^{F28}the General Council] observations on the report or objections to it.

^{F35}(4)

Textual Amendments

- F12** Words in Act substituted (1.1.2009) by The Medical Profession (Miscellaneous Amendments) Order 2008 (S.I. 2008/3131), Sch. 1 para. 7(1)(2)
- F28** Words in Act substituted (1.1.2009) by The Medical Profession (Miscellaneous Amendments) Order 2008 (S.I. 2008/3131), Sch. 1 para. 7(1)(3)
- F31** Words in s. 7(1) omitted (3.11.2008) by virtue of The Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 (S.I. 2008/1774), art. 1(5), **Sch. 1 para. 6(a)(i)**; S.I. 2008/2556, art. 2(1)(a)
- F32** Words in s. 7(1) substituted (3.11.2008) by The Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 (S.I. 2008/1774), art. 1(5), **Sch. 1 para. 6(a)(ii)**; S.I. 2008/2556, art. 2(1)(a)
- F33** Words in s. 7(3) substituted (3.11.2008) by The Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 (S.I. 2008/1774), art. 1(5), **Sch. 1 para. 6(b)(i)**; S.I. 2008/2556, art. 2(1)(a)
- F34** Words in s. 7(3) inserted (3.11.2008) by The Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 (S.I. 2008/1774), art. 1(5), **Sch. 1 para. 6(b)(ii)**; S.I. 2008/2556, art. 2(1)(a)
- F35** S. 7(4) omitted (3.11.2008) by virtue of The Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 (S.I. 2008/1774), art. 1(5), **Sch. 1 para. 6(c)**; S.I. 2008/2556, art. 2(1)(a)

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F368 Power to add further qualifying examinations.

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Textual Amendments

F36 S. 8 omitted (3.11.2008) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 7**; S.I. 2008/2556, art. 2(1)(a)

F379 Powers of Privy Council where standards not maintained.

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Textual Amendments

F37 S. 9 omitted (3.11.2008) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 8**; S.I. 2008/2556, art. 2(1)(a)

F3810 Experience required for full registration by virtue of primary United Kingdom qualifications.

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Textual Amendments

F38 S. 10 repealed (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **23** (with transitional provisions in S.I. 2007/1886, arts. 1(1), 2)

[F3910A Programmes for provisionally registered doctors

- (1) For the purposes of this Act, “acceptable programme for provisionally registered doctors” means a programme that is for the time being recognised by ^{F40}the General Council] as providing a provisionally registered person with an acceptable foundation for future practice as a fully registered medical practitioner.
- (2) In connection with recognising programmes for provisionally registered doctors as mentioned in subsection (1) above, ^{F41}the General Council] may determine—
 - (a) the duration of a programme for provisionally registered doctors^{F42}...;
 - (b) the bodies that may provide, arrange for the provision of or be responsible for programmes for provisionally registered doctors and (where different) the bodies by whom a person is to be employed or engaged while he is participating in a programme for provisionally registered doctors;
 - (c) the content and standard of programmes for provisionally registered doctors;
 - (d) activities which a person is, or is not, to engage in as part of or while participating in a programme for provisionally registered doctors;
 - (e) the arrangements for certification that a person has satisfactorily completed a programme for provisionally registered doctors, including—

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- (i) determining the bodies that may certify that a person has satisfactorily completed a programme for provisionally registered doctors,
 - (ii) determining assessment arrangements and the standards required for certification, and
 - (iii) determining the form of the certificate of experience to be awarded on satisfactory completion of a programme for provisionally registered doctors; and
 - (f) arrangements for a person with a disability not to be disadvantaged unfairly by the disability when participating in a programme for provisionally registered doctors.
- ^{F43}(3)
- (4) Determinations of [^{F44}the General Council] under subsection (2) above shall be published in such manner as they see fit.
- (5) Such determinations—
- (a) are binding on bodies concerned with programmes for provisionally registered doctors as regards the matters to which they relate; and
 - (b) accordingly, those bodies must act in accordance with them as regards the matters to which they relate.
- ^{F45}(6)
- (7) For the purpose of—
- (a) determining whether any programme for provisionally registered doctors should for the time being be recognised; or
 - (b) making any determination in connection with a body mentioned in subsection (2),
- [^{F46}the General Council] may appoint persons to consider programmes for provisionally registered doctors, to visit the bodies mentioned in subsection (2) and to report to [^{F46}the General Council] on those programmes and those bodies.
- (8) If [^{F47}the General Council] have formed the provisional opinion—
- (a) that a programme for provisionally registered doctors that has been recognised by them should no longer be recognised by them, they shall notify that opinion in writing to any body, mentioned in subsection (2), that is connected with that programme and shall allow that body a reasonable opportunity to respond before determining whether or not to end their recognition of that programme; or
 - (b) that a determination under subsection (2)(b) or (e)(i) should be revoked, they shall notify that opinion in writing to the body in respect of whom the determination was made and shall allow that body a reasonable opportunity to respond before determining whether or not to revoke that determination.]

Textual Amendments

- F39** S. 10A inserted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **24**
- F40** Words in s. 10A(1) substituted (1.1.2009) by [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 2(2)**

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- F41** Words in s. 10A(2) substituted (1.1.2009) by [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 2(3)(a)**
- F42** Words in s. 10A(2)(a) omitted (1.1.2009) by virtue of [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 2(3)(b)**
- F43** S. 10A(3) omitted (1.1.2009) by virtue of [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 2(4)**
- F44** Words in s. 10A(4) substituted (1.1.2009) by [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 2(5)**
- F45** S. 10A(6) omitted (1.1.2009) by virtue of [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 2(6)**
- F46** Words in s. 10A(7) substituted (1.1.2009) by [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 2(7)**
- F47** Words in s. 10A(8) substituted (1.1.2009) by [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 2(8)**

F48 **11 Provisions supplementary to s. 10, etc.**

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Textual Amendments

- F48** S. 11 repealed (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **23**

F49 **12 Special provisions as to employment in health centres.**

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Textual Amendments

- F49** S. 12 repealed (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **23**

F50 **13 Power to appoint visitors of approved hospitals.**

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Textual Amendments

- F50** S. 13 repealed (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **23**

14 Alternative requirements as to experience in certain cases.

[^{F51}(1) On an application made to them by a person to whom this section applies, the General Council may direct that, as an alternative to the satisfactory completion of an

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acceptable programme for provisionally registered doctors, it shall be sufficient for the applicant to satisfy the General Council that, in the course of or as an adjunct to practice in the United Kingdom or elsewhere, he has undergone medical training and acquired clinical experience, over a period acceptable to the General Council, which has provided him with a foundation for future practice as a fully registered medical practitioner which is at least as good as the foundation provided by an acceptable programme for provisionally registered doctors.]

- (2) This section applies to any person who claims registration under section 3 above and—
- (a) claims such registration by virtue of a qualification granted before 1st January 1953; or
 - (b) is the holder of a primary United Kingdom qualification and also of a qualification granted outside the United Kingdom which is recognised by the General Council for the purposes of this section as furnishing a sufficient guarantee of the possession of knowledge and skill corresponding with the prescribed knowledge and skill.

[^{F52}(3) In giving directions under subsection (1) above in the case of applicants falling within paragraph (b) of subsection (2) above, the General Council shall have regard to the requirements of [^{F53}article 24 of the Directive (basic medical training)].]

Textual Amendments

- F51** S. 14(1) substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), 25
- F52** S. 14(3) inserted (10.7.1996) by [S.I. 1996/1591](#), reg. 7, [Sch. 2 para. 5](#)
- F53** Words in s. 14(3) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), 7

[^{F54}14A Full registration of EEA nationals etc without certain acquired rights certificates

- (1) A person who is a national of a relevant European State—
- (a) whose case falls within regulation 3(9)(a) of the General Systems Regulations,
 - (b) to whom regulations 20 to 26 of those Regulations apply by reason of the operation of regulation 3(4) of those Regulations,
 - (c) who is permitted to pursue the profession of medical practitioner in the United Kingdom by virtue of Part 3 of those Regulations (having, in particular, successfully completed any adaptation period, or passed any aptitude test, that he may be required to undertake pursuant to that Part of those Regulations), and
 - (d) whose fitness to practise is not impaired,

is entitled to be registered under this section as a fully registered medical practitioner.

- (2) Any person who—
- (a) is not a national of a relevant European State; but
 - (b) is, by virtue of any enforceable [^{F6}EU] right, entitled to be treated, for the purposes of access to the medical profession, no less favourably than a national of such a State,
- shall be treated for the purposes of subsection (1) as if he were such a national.]

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Textual Amendments

- F6** Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, 3, 6 (with arts. 3(2)(3), 4(2), 6(4)(5))
- F54** S. 14A inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), 8

[^{F55}15 Provisional registration.

- (1) This section shall have effect for enabling persons wishing to complete an acceptable programme for provisionally registered doctors to participate in such a programme.
- (2) A person shall be entitled to be registered provisionally under this section if—
 - (a) he has not satisfactorily completed an acceptable programme for provisionally registered doctors; but
 - (b) apart from that he would be entitled to be registered under section 3 above.
- (3) A person provisionally registered under this section shall be deemed to be registered under section 3 above as a fully registered medical practitioner so far as is necessary to enable him to participate in an acceptable programme for provisionally registered doctors but not further.]

Textual Amendments

- F55** S. 15 substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), 26

[^{F56}15A Provisional registration for EEA nationals [^{F57} etc]

- (1) This section shall have effect for enabling a national of [^{F58}a relevant European State] to be employed for the purpose of enabling him to acquire the clinical experience under appropriate supervision which he needs in order to obtain a primary European qualification.
- (2) A national of [^{F59}a relevant European State] who, but for the acquisition of suitable clinical experience, has completed the training required for a primary European qualification, shall be entitled to be registered provisionally under this section [^{F60}if his fitness to practise is not impaired].
- (3) Any person who—
 - (a) is not a national of [^{F61}a relevant European State]; but
 - (b) is, by virtue of [^{F62}any enforceable [^{F6}EU] right], entitled to be treated, for the purposes of access to and the practice of the medical profession, no less favourably than a national of such a State,
 shall be treated for the purposes of subsections (1) and (2) as if he were such a national.
- (4) Subsection (3) of section 15 above shall apply for the purposes of this section as it applies for the purposes of that.
- (5) For the purposes of subsection (2), a person has completed the training required for a primary European qualification, but for the acquisition of suitable clinical experience,

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where he has obtained a medical degree which guarantees that he has fulfilled the requirements of [F63 paragraph 3(a), (b) and (c) of article 24 of the Directive (basic medical training)].]

Textual Amendments

- F6** Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, 3, 6 (with arts. 3(2)(3), 4(2), 6(4)(5))
- F56** S. 15A inserted (4.12.2000) by [S.I. 2000/3041](#), [reg. 3](#)
- F57** Word in s. 15A heading inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), [9\(a\)](#)
- F58** Words in s. 15A(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), [9\(b\)](#)
- F59** Words in s. 15A(2) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), [9\(b\)](#)
- F60** Words in s. 15A(2) added (19.7.2006 for specified purposes, 19.10.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), arts. 1(2)(b)(c)(3), [46](#)
- F61** Words in s. 15A(3)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), [9\(b\)](#)
- F62** Words in s. 15A(3)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), [9\(c\)](#)
- F63** Words in s. 15A(5) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), [9\(d\)](#)

16 Registration of qualifications.

- (1) A person registered under [F64 section 3, [F65 14A,] 15 or 15A] above [F66 or 18A below] shall be entitled to have registered [F67 any primary United Kingdom] qualification or qualifications or primary European qualification or qualifications which he holds when he is so registered and also—
 - (a) any other primary United Kingdom qualification or qualification specified in [F68 Annex V, point 5.1.1 of the Directive (evidence of formal qualifications in basic medical training)] which he obtains after registration;
 - (b) subject to subsection (3) below, any additional qualification which [F12 the General Council] determine ought to be registrable by virtue of this paragraph which he holds when he is registered or obtains thereafter;
 - (c) any [F69 . . .] qualification which is for the time being registrable by virtue of section 26(1)(b) below which he holds when he is registered or obtains thereafter.
- (2) In this Act “additional qualification” means any qualification granted in [F70 a relevant European State] other than a primary United Kingdom qualification or a qualification specified in [F71 Annex V, point 5.1.1 of the Directive (evidence of formal qualifications in basic medical training)].
- (3) If [F12 the General Council] determine that any such qualification as is mentioned in paragraph (b) of subsection (1) above ought not to be registrable by virtue of that paragraph if granted before or after a particular date, a person holding that qualification shall not be entitled to have it registered if it was granted to him before or, as the case may be, after that date.

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Textual Amendments

- F12** Words in Act substituted (1.1.2009) by [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), Sch. 1 para. 7(1)(2)
- F64** Words in s. 16(1) substituted (4.12.2000) by [S.I. 2000/3041](#), **reg. 4(1)**
- F65** Word in s. 16(1) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **10(a)(i)**
- F66** Words in s. 16(1) inserted (9.7.2008) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(2)(b), **Sch. 1 para. 9**
- F67** Words in s. 16(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **10(a)(ii)**
- F68** Words in s. 16(1)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **10(b)**
- F69** Words in s. 16(1)(c) omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(f), **9(2)** (with transitional provisions in Sch. 2)
- F70** Words in s. 16(2) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **10(c)**
- F71** Words in s. 16(2) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **10(b)**

[^{F72}17 Primary qualifications obtained in other [^{F73}relevant European States].

- (1) A primary European qualification for the purposes of this Part of this Act is any of the following obtained in [^{F74}a relevant European State] other than the United Kingdom, namely—
- [^{F75}(a) a qualification listed in Annex V, point 5.1.1 of the Directive which was obtained in a relevant European State on or after the reference date and is not evidence of training commenced by the holder before that date, provided that that qualification is accompanied, where appropriate, by the certificate listed in relation to that State in the column of Annex V, point 5.1.1 of the Directive entitled “Certificate accompanying the qualifications”;
- (b) subject to compliance with subsection (2) below, a qualification listed in Annex V, point 5.1.1 of the Directive, which was obtained before the reference date, or on or after that date where training of which it is evidence was commenced by the holder before that date;
- (ba) subject to compliance with subsection (2A) below, a qualification not listed in Annex V, point 5.1.1 of the Directive, which was obtained on or after the reference date and is not evidence of training commenced by the holder before that date;
- (c) subject to compliance with subsection (3) below, a qualification not listed in Annex V, point 5.1.1 of the Directive, which was obtained before the reference date, or on or after that date where training of which it is evidence was commenced by the holder before that date;]
- (d) subject to compliance with subsection (4) below, a qualification which is evidence of training commenced before 3rd October 1990 and undertaken on the territory of the former German Democratic Republic.
- [
^{F76}(e) subject to compliance with subsection (4A) below, a qualification which—
 (i) is evidence of training commenced before the date specified in column (a) of the table in that subsection and undertaken on the

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- territory specified in the corresponding entry in column (b) of that table, or
- (ii) was awarded by [^{F77}the former state] specified in column (b) of the table in that subsection before the date specified in the corresponding entry in column (a).]
- [^{F78}(2) For compliance with this subsection in the case of any qualification, either—
- (a) evidence of the qualification must be—
- (i) such that the Registrar is satisfied (by means of a certificate of a competent authority of the relevant European State in which it was obtained or otherwise) that it accords with the standards laid down by article 24 of the Directive (basic medical training), and
- (ii) accompanied, where appropriate, by the certificate listed in relation to the State in which the qualification was obtained in the column of Annex V, point 5.1.1 of the Directive entitled “Certificate accompanying the qualifications”; or
- (b) evidence of the qualification must be accompanied by a certificate of a competent authority of any relevant European State that the holder has effectively and lawfully been engaged in medical practice in that State for at least three consecutive years during the five years preceding the date of the certificate.
- (2A) For compliance with this subsection in the case of any qualification, evidence of it must be accompanied by a certificate of a competent authority of the relevant European State in which it was obtained to the effect that—
- (a) it is evidence of training which satisfies the requirements of article 24 of the Directive; and
- (b) it is treated by that State as if it were a qualification listed in relation to that State in Annex V, point 5.1.1 of the Directive.
- (3) For compliance with this subsection in the case of any qualification, evidence of it must be accompanied by a certificate such as is described in—
- (a) subsection (2)(b); or
- (b) subsection (2A).]
- (4) For compliance with this subsection in the case of any qualification—
- (a) it must be such that the Registrar is satisfied with respect to it (by means of a certificate of [^{F79}a competent authority of Germany] or otherwise) that the holder is entitled by virtue of it to engage in medical practice throughout the territory of Germany on the same conditions as the holder of a German qualification listed in [^{F80}Annex V, point 5.1.1 of the Directive]; and
- (b) evidence of it must be accompanied by a certificate of [^{F81}a competent authority of Germany] that the holder has effectively and lawfully been engaged in actual medical practice in Germany for at least 3 consecutive years during the 5 years preceding the date of the certificate.
- [For compliance with this subsection in the case of any qualification—
- ^{F82}(4A) (a) it must be such that the Registrar is satisfied with respect to it (by means of a certificate from [^{F83}a competent authority of the relevant European State] specified in the appropriate row of column (c) of the table below) that that qualification has, on its territory, the same legal validity as regards access to

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- and practice of the medical profession as the qualification listed in relation to that State in [F84 Annex V, point 5.1.1 of the Directive]; and
- (b) evidence of it must be accompanied by a certificate from [F85 a competent authority of that State] stating that the holder has effectively and lawfully been engaged in the activity in question on the territory of that State for at least 3 consecutive years during the 5 years preceding the date of issue of that certificate.

<i>Column (a)</i>	<i>Column (b)</i>	<i>Column (c)</i>
1st January 1993	Former Czechoslovakia	Czech Republic
1st January 1993	Former Czechoslovakia	Slovakia
20th August 1991	Former Soviet Union	Estonia
21st August 1991	Former Soviet Union	Latvia
11th March 1990	Former Soviet Union	Lithuania
25th June 1991	[F86 Former Yugoslavia]	Slovenia]
[F87 8th October 1991	Former Yugoslavia	Croatia]

F88(5)

[F89(6) In this section, “the reference date”, in relation to a relevant European State, means the date specified in relation to that State in the column entitled “Reference date” in Annex V, point 5.1.1 of the Directive.]]

Textual Amendments

- F72** S. 17 substituted (10.7.1996) by S.I. 1996/1591, **reg. 4(1)**
- F73** Words in s. 17 heading substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(2)**
- F74** Words in s. 17(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(3)(a)**
- F75** S. 17(1)(a)(b)(ba)(c) substituted for s. 17(1)(a)-(c) (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(3)(b)**
- F76** S. 17(1)(e) inserted (18.8.2004) by [The European Qualifications \(Health and Social Care Professions and Accession of New Member States\) Regulations 2004 \(S.I. 2004/1947\)](#), regs. 1(2), **3(5)(a)**
- F77** Words in s. 17(1)(e)(ii) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(3)(c)**
- F78** S. 17(2)(2A)(3) substituted for s. 17(2)(3) (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(4)**
- F79** Words in s. 17(4)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(5)(b)**
- F80** Words in s. 17(4)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(5)(a)**
- F81** Words in s. 17(4)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(5)(b)**
- F82** S. 17(4A) inserted (18.8.2004) by [The European Qualifications \(Health and Social Care Professions and Accession of New Member States\) Regulations 2004 \(S.I. 2004/1947\)](#), regs. 1(2), **3(5)(b)**
- F83** Words in s. 17(4A)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(6)(a)(i)**

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- F84** Words in s. 17(4A)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(6)(a)(ii)**
- F85** Words in s. 17(4A)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(6)(b)**
- F86** Words in s. 17(4A) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(6)(c)**
- F87** Words in s. 17(4A) table inserted (31.12.2013) by [The European Qualifications \(Health Care Professions\) \(Croatia Accession Amendment\) Regulations 2013 \(S.I. 2013/3036\)](#), regs. 1(1), 2
- F88** S. 17(5) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(7)**
- F89** S. 17(6) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(8)**

[^{F90}18 Visiting medical practitioners from relevant European States

Schedule 2A to this Act (visiting medical practitioners from relevant European States) shall have effect.]

Textual Amendments

- F90** S. 18 substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **12**

[^{F91}18A. Temporary registration with regard to emergencies involving loss of human life or human illness etc.

- (1) If the Secretary of State advises the Registrar that an emergency has occurred, is occurring or is about to occur and that action should be considered under this section, the Registrar may register under this section—
 - (a) a person as a fully registered medical practitioner, if the Registrar considers that the person is a fit, proper and suitably experienced person to be registered as a fully registered medical practitioner with regard to the emergency; or
 - (b) the persons comprising a specified group of persons as fully registered medical practitioners, if the Registrar considers that the group is comprised of persons who are of a type who may reasonably be considered fit, proper and suitably experienced persons to be registered as fully registered medical practitioners with regard to the emergency.
- (2) The Registrar may register under this section by virtue of subsection (1)(b) all of the persons comprising a specified group of persons without first identifying each person in the group.
- (3) The registration of a person under this section is subject to such conditions as the Registrar may specify, and the Registrar may at any time vary the conditions to which a person's registration under this section is subject (including by adding to the conditions or revoking any conditions).
- (4) The registration of any person registered under this section by virtue of subsection (1)(b) as one of a specified group may be subject to the same conditions as the registration of other members of the group, or it may be subject to different conditions.

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- (5) A person's registration under this section shall cease to have effect if revoked by the Registrar, which—
- (a) the Registrar must do if the Secretary of State advises the Registrar that the circumstances that led the Secretary of State to advise the Registrar as mentioned in subsection (1) no longer exist;
 - (b) the Registrar may do for any other reason at any time, including where the Registrar has grounds for suspecting that the person's fitness to practise may be impaired.
- (6) The registration of a person registered under this section by virtue of subsection (1) (b) as one of a specified group may be revoked without revoking the registration of the other members of the group, or it may be revoked by virtue of a decision to revoke the registration of all the members of the group.
- (7) Part 5 of this Act, apart from sections 35, 35A(1) and (4) to (8) and 35B(2) and (3), shall not apply to persons registered under this section.
- (8) If a person breaches any condition to which the person's registration under this section is subject, anything done by the person in breach of that condition is to be treated as not being done by a registered medical practitioner.
- (9) For the purposes of this section, "emergency" means an emergency of the type described in section 19(1)(a) of the Civil Contingencies Act 2004 (meaning of "emergency"), read with subsection (2)(a) and (b) of that section.]

Textual Amendments

F91 S. 18A inserted (9.7.2008) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(2)(b), **Sch. 1 para. 10**

Status:

Point in time view as at 31/12/2013.

Changes to legislation:

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