

*Status: Point in time view as at 19/10/2004.*

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## SCHEDULES

### <sup>F1</sup>SCHEDULE 1

Section 1.

#### THE GENERAL MEDICAL COUNCIL AND ITS COMMITTEES, AND THE BRANCH COUNCILS

##### Textual Amendments

- F1** Sch. 1 para. 19-19E, 23, 23B, 24 and crossheadings substituted for Sch. 1 paras. 19-24 (1.7.2003 for the substitution of Sch. 1 para. 19 as notified in the London Gazette dated 1.7.2003, 7.7.2004 in so far as it relates to Sch. 1 paras. 19A-19E for the purpose only of making rules and in so far as it relates to Sch. 1 paras. 23, 23B, 24 as notified in the London Gazette dated 2.7.2004, 1.11.2004 in so far as not already in force as notified in the London Gazette dated 8.10.2004) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), art. 1(2)(3), **5(3)** (with Sch. 2)

### PART I

#### CONSTITUTION OF THE GENERAL MEDICAL COUNCIL

##### *General*

- 1 (1) The General Council shall consist of—
- (a) elected members;
  - (b) appointed members; and
  - (c) nominated members.
- (2) The numbers of elected members, appointed members and nominated members shall be such that the number of the elected members exceeds the number of the appointed and nominated members.
- [<sup>F2</sup>(3) The General Council shall consist of no more than 35 members.]

##### Textual Amendments

- F2** Sch. 1 para. 1(3) inserted (1.7.2003 as notified in the London Gazette dated 1.7.2003) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **4(2)** (with Sch. 2)

##### *Elected members*

- 2 (1) Elections of elected members shall be conducted in accordance with an electoral scheme under this paragraph providing for the election of members for the following four constituencies, that is to say—
- (a) England, the Channel Islands and the Isle of Man;
  - (b) Wales;

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- (c) Scotland; and
  - (d) Northern Ireland.
- [<sup>F3</sup>(1A) The provision that may be made by an electoral scheme includes provision for any of the constituencies listed in sub-paragraph (1)(a) to (d) above to be divided into two or more separate constituencies.]
- (2) An electoral scheme shall be made, with the approval of the Privy Council, by the General Council after consultation with such bodies as appear to the General Council to be representative of medical practitioners.
- (3) An electoral scheme under sub-paragraph (2) above may be amended by the General Council with the approval of the Privy Council and after consultation with such bodies as are mentioned in that sub-paragraph.
- [<sup>F4</sup>(4) The persons qualified to elect the elected members for any constituency shall be those who, on a date determined in accordance with the electoral scheme—
- (a) are resident in the constituency for which the election is held;
  - (b) are fully registered, provisionally registered or registered with limited registration; and
  - (c) are holders of licences to practise.]
- [<sup>F5</sup>(5) A person shall not be qualified to be elected as an elected member unless he—
- (a) is fully registered, provisionally registered or registered with limited registration; and
  - (b) holds a licence to practise.
- (5A) An electoral scheme shall make provision for the disclosure to those qualified to vote at an election of information (including information concerning fitness to practise) relating to a person seeking election.]
- (6) For the purposes of this paragraph, a person shall be taken to be resident at his address in the register.

#### Textual Amendments

- F3** Sch. 1 para. 2(1A) inserted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), [arts. 1\(2\)\(c\), 4\(3\)\(a\)](#) (with transitional provisions in [Sch. 2](#))
- F4** Sch. 1 para. 2(4) substituted (17.12.2002 for specified purposes, otherwise coming into force in accordance with art. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), [arts. 1\(2\)\(c\), 4\(3\)\(b\)](#) (with transitional provisions in [Sch. 2](#))
- F5** Sch. 1 para. 2(5)(5A) substituted for Sch. 1 para. 2(5) (17.12.2002 for specified purposes, otherwise coming into force in accordance with art. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), [arts. 1\(2\)\(c\), 4\(3\)\(c\)](#) (with transitional provisions in [Sch. 2](#))

#### *Appointed members*

- 3 [<sup>F6</sup>(1) Appointed members shall be chosen by such bodies as are designated for the time being as appointing bodies by an Order in Council under section 1 of this Act.
- (2) A person shall not be qualified to be chosen as an appointed member unless he—
- (a) is fully registered, provisionally registered or registered with limited registration; and

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(b) holds a licence to practise.]

(3) An Order in Council under section 1 of this Act may give an appointing body the power to choose more than one appointed member or to choose an appointed member in combination with another appointing body or bodies.

#### Textual Amendments

**F6** Sch. 1 para. 3(1)(2) substituted (17.12.2002 for specified purposes, otherwise coming into force in accordance with art. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(c), **4(4)** (with transitional provisions in [Sch. 2](#))

#### *Nominated members*

4 (1) Nominated members shall be nominated by [<sup>F7</sup>the Privy Council].

(2) One member at least shall be nominated for England, for Wales, for Scotland and for Northern Ireland.

[<sup>F8</sup>(3) A nominated member shall be a person who is neither fully registered nor a holder of any qualification registrable under this Act.]

#### Textual Amendments

**F7** Words in Sch. 1 para. 4(1) substituted (19.10.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), **Sch. 12 para. 2(2)**; S.I. 2004/2626, art. 2

**F8** Sch. 1 para. 4(3) substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(c), **4(5)** (with transitional provisions in [Sch. 2](#))

[<sup>F9</sup>4ZA(1) This paragraph applies if, under section 187 of the Health and Social Care (Community Health and Standards) Act 2003, the Secretary of State has given a direction to a Special Health Authority to exercise any function of a Minister of the Crown relating to the making of appointments to a body mentioned in that section.

(2) The Privy Council may direct the Special Health Authority to exercise to the extent specified in the direction its functions under paragraph 4 in relation to the nomination of persons to be nominated members of the Council.]

#### Textual Amendments

**F9** Sch. 1 para. 4ZA inserted (19.10.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), **Sch. 12 para. 2(3)**; S.I. 2004/2626, art. 2

#### *[<sup>F10</sup>Suspension or removal from office of members*

#### Textual Amendments

**F10** Sch. 1 paras. 4A, 4B and cross-headings inserted (17.12.2002 for specified purposes, otherwise coming into force in accordance with art. 1(2)(3) of the amending S.I.) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(c), **4(6)** (with transitional provisions in [Sch. 2](#))

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- 4A (1) The General Council shall by rules make provision for the suspension or removal from office of a member by the General Council in such circumstances as may be specified in the rules.
- (2) Rules under sub-paragraph (1) above shall provide for an elected member or an appointed member to be removed from office if he ceases—
- (a) to be registered; or
  - (b) to hold a licence to practise.
- (3) Standing orders of the General Council shall make provision for the procedure by which a member may be suspended or removed from office.
- (4) No rules under sub-paragraph (1) above shall come into force until approved by order of the Privy Council.

*Registration of members' private interests*

- 4B (1) The General Council must establish and maintain a system for the declaration and registration of private interests of members of the Council.
- (2) The General Council must publish entries recorded in the register of members' private interests.]

*Supplementary*

- 5 An Order in Council under section 1 of this Act may contain such incidental, consequential, transitional or supplementary provisions as appear to Her Majesty to be necessary or expedient.
- 6 (1) Subject to sub-paragraph (2) below, a person shall not be qualified to be a member of the General Council if he has attained the age of seventy years.
- (2) The General Council may by rules provide that sub-paragraph (1) above shall have effect with the substitution of such age less than seventy years as is specified in the rules.
- (3) No rules under sub-paragraph (2) above shall come into force until approved by order of the Privy Council.
- [<sup>F117</sup> (1) Notwithstanding paragraph 1(2) above, an Order in Council under section 1 of this Act—
- (a) may make provision permitting elections to fill casual vacancies among the elected members to be held together, but
  - (b) may not permit a casual vacancy among the elected members to be left unfilled for a period exceeding six months, except in accordance with paragraph (c) below, and
  - (c) may make provision that a casual vacancy among the elected members need not be filled if the unexpired term of the elected member giving rise to the vacancy is less than twelve months.
- (2) In sub-paragraph (1) above the “unexpired term” means the period beginning with the date on which the member ceased to be a member and ending with the date on which his full term of office would have expired.]

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#### Textual Amendments

**F11** Sch. 1 para. 7 substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(c), **4(7)** (with transitional provisions in Sch. 2)

- 8 No recommendation shall be made to Her Majesty to amend or revoke an Order in Council under section 1 of this Act so far as it relates to the appointing bodies except in pursuance of a representation made to the Privy Council by the General Council.

## PART II

### INCIDENTAL POWERS AND DUTIES AND PROCEEDINGS OF THE GENERAL MEDICAL COUNCIL

#### *[<sup>F12</sup>Incidental powers and duties]*

#### Textual Amendments

**F12** Italic heading immediately preceding Sch. 1 para. 9 substituted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(a)** (with transitional provisions in Sch. 2)

- 9 It shall be within the capacity of the General Council as a corporation to do such things and enter into such transactions as are in their opinion incidental or conducive to the performance of their functions under this Act, including the borrowing of money.

- [<sup>F13</sup>9A In exercising their functions, the General Council shall co-operate wherever appropriate and reasonably practicable with public authorities or other bodies or persons concerned with—
- (a) the employment (whether or not under a contract of service) of registered medical practitioners;
  - (b) the education of medical practitioners, prospective medical practitioners or other health care professionals;
  - (c) the regulation of other health or social care professions; or
  - (d) the regulation of health services.

#### Textual Amendments

**F13** Sch. 1 paras. 9A, 9B inserted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(a)** (with transitional provisions in Sch. 2)

- 9B (1) For the purposes of ensuring that registered medical practitioners and the public are informed about the General Council and the exercise by them of their functions, the Council shall publish or provide in such manner as they think fit information about the Council and the exercise of their functions.
- (2) Nothing in sub-paragraph (1) above authorises or requires the publication or provision of information if the publication or provision of that information is—
- (a) prohibited by any enactment; or
  - (b) would constitute or be punishable as a contempt of court.

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- (3) In sub-paragraph (2) above “enactment” includes—
- (a) an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament; and
  - (b) any provision of, or any instrument made under, Northern Ireland legislation.]

**Textual Amendments**

**F13** Sch. 1 paras. 9A, 9B inserted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(a)** (with transitional provisions in Sch. 2)

- 10 For the purpose of enabling the General Council to compile or assist in the compilation of statistics relating to medical practice and practitioners the Council may from time to time issue to persons registered under this Act (otherwise than under section 18) requests for information on matters which in the opinion of the Council are relevant for that purpose.
- 11 The General Council may provide facilities for testing the knowledge of English of applicants for registration under [<sup>F14</sup>section 21A or 22] of this Act.

**Textual Amendments**

**F14** Words in Sch. 1 para. 11 substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(f), **9(3)** (with transitional provisions in Sch. 2)

*Proceedings of the General Council*

- 12 The validity of any proceedings of the General Council shall not be affected by any vacancy among the members of the Council or by any defect in the election, appointment or nomination of a member of the Council.
- [<sup>F15</sup>13 The quorum of the General Council shall be prescribed by Her Majesty by Order in Council made under section 1 of this Act.]

**Textual Amendments**

**F15** Sch. 1 para. 13 substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(c), **4(8)** (with transitional provisions in Sch. 2)

- 14 All acts of the General Council shall be decided by the votes of a majority of the members present at any meeting, and if the votes are equal the person who presides at the meeting shall, in addition to his vote as a member of the Council, have a casting vote.
- 15 (1) The General Council may by standing order make provision with respect to the meetings and proceedings of and the discharge of their functions by the Council and any committees of the Council, with respect to the composition of committees of the Council and with respect to the functions of the officers of the Council.
- (2) Any standing order made by the Council under this paragraph may be amended or revoked by a subsequent standing order.

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- (3) This paragraph does not apply in relation to the statutory committees other than the Education Committee nor shall standing orders be made under it in relation to the discharge of the Council's functions under section 39 of this Act or in relation to any committee to which those functions may be delegated.

#### *Officers of the General Council*

- 16 (1) The General Council shall elect from among their number a president of the General Council and may so elect a chairman and a treasurer or treasurers of the General Council.
- (2)<sup>F16</sup> . . . any chairman or treasurer elected in pursuance of sub-paragraph (1) above shall be elected for a term not extending beyond the expiration of the term for which he has been elected, chosen or nominated to be a member of the General Council.
- (3) The General Council shall appoint a person to be registrar of the Council and may appoint such deputy and assistant registrars of the Council as the Council think fit and where a deputy or assistant registrar is authorised by the Registrar to act for him in any matter, any reference in this Act to the Registrar [<sup>F17</sup>or in a direction or delegation to him under sub-paragraph (4) below,] shall include a reference to that deputy or assistant where the reference relates to that matter.
- [<sup>F18</sup>(4) Subject to paragraph 6 of Schedule 4 to this Act, the Registrar shall, in addition to the functions specifically mentioned in this Act, have such other functions as the General Council may think fit to direct him to perform or delegate to him (whether or not in rules or standing orders).]

#### **Textual Amendments**

- F16** Words in Sch. 1 para. 16(2) omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(b)(i)** (with transitional provisions in Sch. 2)
- F17** Words in Sch. 1 para. 16(3) inserted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(b)(ii)** (with transitional provisions in Sch. 2)
- F18** Sch. 1 para. 16(4) inserted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(b)(iii)** (with transitional provisions in Sch. 2)

#### *Financial provisions*

- [<sup>F19</sup>17 There shall be paid to the members of the General Council such remuneration and such travelling, subsistence or other expenses as the Council may allow, including payments for duties undertaken as trustees of the Council.]

#### **Textual Amendments**

- F19** Sch. 1 para. 17 substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(e)** (with transitional provisions in Sch. 2)

- 18 (1) Any fees or other sums payable by virtue of this Act in connection with registration under this Act shall be paid to the General Council, and any expenses of the Council shall be defrayed out of the sums received by the Council either on account of those fees and sums, or from the sale of registers, or otherwise.

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- (2) The General Council shall keep proper accounts of all sums received or paid by them, and proper records in relation to those accounts (including records of the evidence furnished by branch councils under paragraph 28 below), and their accounts for each financial year of the Council shall be audited by auditors appointed by the Council.
- [<sup>F20</sup>(3) No person shall be appointed auditor under this paragraph unless he is eligible for appointment as a company auditor under section 25 of the Companies Act 1989.]
- (4) As soon as may be after the accounts of the General Council have been audited, the Council shall cause them to be published and shall send a copy of them to the Privy Council together with a copy of any report of the auditors on them, and the Privy Council shall lay a copy of the accounts and of any report of the auditors on the accounts before each House of Parliament.

**Textual Amendments**

**F20** Sch. 1 para. 18(3) substituted by [S.I. 1991/1997, reg. 2](#), [Sch. para.50](#) (with [reg. 4](#))

**<sup>F1</sup>PART III**

COMMITTEES OF THE GENERAL MEDICAL COUNCIL

*<sup>F1</sup> The Education Committee*

- <sup>F21</sup><sup>F1</sup>19(1) Subject to sub-paragraph (2) below and the power of the Committee under paragraph 25 below to co-opt members the composition of the Education Committee shall be such as the General Council think fit.
- (2) The members of the Committee chosen by the General Council shall be so chosen as to ensure that the number of appointed members exceeds the number of elected and nominated members or, if there are no nominated members chosen to be members of the Committee, the number of elected members.

**Textual Amendments**

**F21** Sch. 1 Pt. III: paras. 19-19E, 23, 23B, 24 substituted (coming into force in accordance with s. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), [5\(3\)](#), (with transitional provisions in Sch. 2)

*[<sup>F22</sup> The Interim Orders Committee*

**Textual Amendments**

**F22** Sch. 1 para. 19A and cross-heading inserted (3.8.2000) by [S.I. 2000/1803, art. 15\(a\)](#)

- <sup>F23</sup><sup>F24</sup><sup>F1</sup>19A Subject to the power of the Committee under paragraph 25 to co-opt members, the Interim Orders Committee shall be constituted as provided by the General Council by rules under this paragraph.]



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#### Textual Amendments

- F23** Sch. 1 para. 19A inserted (3.8.2000) by [S.I. 2000/1803](#), [art. 15\(a\)](#)
- F24** Sch. 1 Pt. III: paras. 19-19E, 23, 23B, 24 substituted (coming into force in accordance with s. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), [5\(3\)](#), (with transitional provisions in Sch. 2)

#### *The Preliminary Proceedings Committee*

- F25F120** The Preliminary Proceedings Committee shall be constituted as provided by the General Council by rules under this paragraph.

#### Textual Amendments

- F25** Sch. 1 Pt. III: paras. 19-19E, 23, 23B, 24 substituted (coming into force in accordance with s. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), [5\(3\)](#), (with transitional provisions in Sch. 2)

#### *The Professional Conduct Committee*

- F26F121** [<sup>F27</sup>Subject to the power of the Committee under paragraph 25 to co-opt members,] the Professional Conduct Committee shall be constituted as provided by the General Council by rules under this paragraph.

#### Textual Amendments

- F26** Sch. 1 Pt. III: paras. 19-19E, 23, 23B, 24 substituted (coming into force in accordance with s. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), [5\(3\)](#), (with transitional provisions in Sch. 2)
- F27** Words in Sch. 1 para. 21 inserted (3.8.2000) by [S.I. 2000/1803](#), [art. 15\(b\)](#)

#### *[<sup>F28</sup> The Assessment Referral Committee*

#### Textual Amendments

- F28** Sch. 1 Pt. III paras. 21A, 21B inserted (1.7.1997) by [1995 c. 51, s. 4](#), [Sch. para. 12](#); [S.I. 1997/1315](#), [art. 2](#)

- F29F121A** [<sup>F30</sup>Subject to the power of the Committee under paragraph 25 to co-opt members,] the Assessment Referral Committee shall be constituted as provided by the General Council by rules under this paragraph.]

#### Textual Amendments

- F29** Sch. 1 Pt. III: paras. 19-19E, 23, 23B, 24 substituted (coming into force in accordance with s. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), [5\(3\)](#), (with transitional provisions in Sch. 2)
- F30** Words in Sch. 1 para. 21A inserted (3.8.2000) by [S.I. 2000/1803](#), [art. 15\(b\)](#)

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### *The Committee on Professional Performance*

<sup>F31F1</sup>21B <sup>[<sup>F32</sup>Subject to the power of the Committee under paragraph 25 to co-opt members,]</sup> the Committee on Professional Performance shall be constituted as provided by the General Council by rules under this paragraph.

#### **Textual Amendments**

- F31** Sch. 1 Pt. III: paras. 19-19E, 23, 23B, 24 substituted (coming into force in accordance with s. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(3)**, (with transitional provisions in Sch. 2)
- F32** Words in Sch. 1 para. 21B inserted (3.8.2000) by [S.I. 2000/1803](#), **art. 15(b)**

### *The Health Committee*

<sup>F33F1</sup>22 <sup>[<sup>F34</sup>Subject to the power of the Committee under paragraph 25 to co-opt members]</sup> the Health Committee shall be constituted as provided by the General Council by rules under this paragraph.

#### **Textual Amendments**

- F33** Sch. 1 Pt. III: paras. 19-19E, 23, 23B, 24 substituted (coming into force in accordance with s. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(3)**, (with transitional provisions in Sch. 2)
- F34** Words in Sch. 1 para. 22 inserted (3.8.2000) by [S.I. 2000/1803](#), **art. 15(b)**

### *Supplementary*

<sup>F35F1</sup><sup>[<sup>F36</sup>23</sup> Rules under paragraphs 21, 21B, and 22 above shall secure that a person who sits as a member of <sup>[<sup>F37</sup>the Interim Orders Committee,]</sup> the Preliminary Proceedings Committee or the Assessment Referral Committee in proceedings on any case shall not sit as a member of the Professional Conduct Committee, the Committee on Professional Performance or the Health Committee in any subsequent proceedings on that case.]

#### **Textual Amendments**

- F35** Sch. 1 Pt. III: paras. 19-19E, 23, 23B, 24 substituted (coming into force in accordance with s. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(3)**, (with transitional provisions in Sch. 2)
- F36** Sch. 1 Pt. III para. 23 substituted (1.1.1997) by [1995 c. 51, s. 4, Sch. para. 13](#); [S.I. 1996/1631](#), **art. 2(3)(b)**
- F37** Words in Sch. 1 para. 23 inserted (3.8.2000) by [S.I. 2000/1803](#), **art. 15(e)**

<sup>F38F1</sup><sup>[<sup>F39</sup>23A</sup> Rules under paragraph 19A above shall secure that a person who sits as a member of the Preliminary Proceedings Committee, the Assessment Referral Committee, the Professional Conduct Committee, the Committee on Professional Performance or the Health Committee shall not sit as a member of the Interim Orders Committee in any subsequent proceedings on that case.]

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#### Textual Amendments

- F38** Sch. 1 Pt. III: paras. 19-19E, 23, 23B, 24 substituted (coming into force in accordance with s. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(3)**, (with transitional provisions in Sch. 2)
- F39** Sch. 1 para. 23A inserted (3.8.2000) by [S.I. 2000/1803](#), **art. 15(d)**

<sup>F40F1</sup>24 Rules under paragraph [<sup>F41</sup>19A,] 20, 21 [<sup>F42</sup>, 21A, 21B] or 22 above shall not come into force until approved by order of the Privy Council.

#### Textual Amendments

- F40** Sch. 1 Pt. III: paras. 19-19E, 23, 23B, 24 substituted (coming into force in accordance with s. 1(2)(3)) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(3)**, (with transitional provisions in Sch. 2)
- F41** Words in Sch. 1 para. 24 inserted (3.8.2000) by [S.I. 2000/1803](#), **art. 15(e)**
- F42** Words in Sch. 1 Pt. III para. 24 inserted (1.9.1996) by [1995 c. 51](#), s. 4, **Sch. para. 14**; [S.I. 1996/1631](#), **art. 2(1)(b)**

25 (1) Without prejudice to the preceding provisions of this Part of this Schedule the General Council may constitute <sup>F43</sup>... one or more committees.

[<sup>F44</sup>(1A) Any committee of the General Council may consist of or include persons who are not members of the Council.]

[<sup>F45</sup>(2) [<sup>F46</sup>Subject to and in accordance with paragraph 23 above,] a Committee of the General Council may, if authorised to do so by the General Council, co-opt such persons (whether or not members of the Council) as the Committee think fit.]

(3) The General Council may delegate to any committee of the Council such of the Council's functions as they think fit but the determination of the remuneration payable to visitors appointed by the Education Committee under section 7(1) or 13(1) of this Act or to inspectors appointed by that Committee under section 6(2) of this Act shall be subject to the approval of the General Council.

[<sup>F47</sup>(4) Except where rules made by virtue of paragraph 23B above make provision as to quorum in the case of any of the statutory committees, the quorum of a committee of the General Council shall be such as the Council may from time to time determine.

(5) There shall be paid to the members of the committees of the General Council such remuneration and such travelling, subsistence or other expenses as the Council may allow.]

#### Textual Amendments

- F43** Words in Sch. 1 para. 25(1) omitted (1.7.2003 as notified in the London Gazette dated 1.7.2003) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(a)** (with Sch. 2)
- F44** Sch. 1 para. 25(1A) inserted (1.7.2003 as notified in the London Gazette dated 1.7.2003) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(b)** (with Sch. 2)
- F45** Sch. 1 para. 25(2) substituted (3.8.2000) by [S.I. 2000/1803](#), **art. 15(f)**
- F46** Words in Sch. 1 para. 25(2) inserted (7.7.2004 as notified in the London Gazette dated 2.7.2004) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(c)** (with Sch. 2)

*Status: Point in time view as at 19/10/2004.*

*Changes to legislation: Medical Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- F47** Sch. 1 para. 25(4)(5) substituted for Sch. 1 para. 25(4) (1.7.2003 in so far as it relates to new para. 25(5), as notified in the London Gazette dated 1.7.2003, 1.11.2004 in so far as not already in force as notified in the London Gazette dated 8.10.2004) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(d)** (with Sch. 2)

## PART IV

### THE BRANCH COUNCILS

- 26 (1) There shall continue to be a branch council for England, for Wales, for Scotland and for Northern Ireland.
- [<sup>F48</sup>(2) The branch council for each area shall be constituted as provided by the General Council.
- (2A) Some or all members of a branch council may be persons who are not members of the General Council.]
- (3) The General Council may delegate to a branch council such of the functions of the General Council (other than those conferred by section 39 of this Act) as the General Council think fit.

#### Textual Amendments

- F48** Sch. 1 para. 26(2)(2A) substituted (17.12.2002) for Sch. 1 para. 26(2) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(d)** (with transitional provisions in Sch. 2)

- 27 Each branch council shall appoint a registrar of the council but the person appointed to be registrar of the General Council—
- (a) shall also be registrar of the branch council for England; and
- (b) may also be registrar of all or any of the other branch councils.
- 28 The General Council shall furnish each branch council with such sums as the branch council may require for defraying any expenses incurred by the branch council with the approval of the General Council; and each branch council shall furnish the General Council with such evidence as the General Council may reasonably require of all payments made by the branch council out of sums furnished by the General Council.
- [<sup>F49</sup>29 There shall be paid to the members of the branch councils such remuneration and such travelling, subsistence or other expenses as the General Council may allow.]

#### Textual Amendments

- F49** Sch. 1 para. 29 substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(e)** (with transitional provisions in Sch. 2)

**Status:**

Point in time view as at 19/10/2004.

**Changes to legislation:**

Medical Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.