

Status: Point in time view as at 01/02/1991. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: Medical Act 1983, Part II is up to date with all changes known to be in force on or before 27 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)

SCHEDULES

SCHEDULE 1

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

PART II

INCIDENTAL POWERS AND DUTIES AND PROCEEDINGS OF THE GENERAL MEDICAL COUNCIL

Incidental powers

- 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.

VALID FROM 17/12/2002

- [^{F1}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

- F1** 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](#))

VALID FROM 17/12/2002

- 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

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(b) would constitute or be punishable as a contempt of court.

(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

F1 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 section 19, 21 or 22 of this Act.

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.

13 (1) The quorum of the General Council shall be prescribed by the General Council by rules under this sub-paragraph.

(2) No rules under sub-paragraph (1) above shall come into force until approved by order of the Privy Council.

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.

(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.

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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) The president and any chairman or treasurer elected in pursuance of subparagraph (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 shall include a reference to that deputy or assistant where the reference relates to that matter.

Financial provisions

- 17 There shall be paid to the members of the General Council such fees and such travelling, subsistence or other allowances as the General Council may allow.
- 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.
- (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.
- (3) No person shall be qualified to be appointed auditor under this paragraph unless he is a member of one or more of the following bodies—
the Institute of Chartered Accountants in England and Wales;
the Institute of Chartered Accountants of Scotland;
the Association of Certified Accountants;
the Institute of Chartered Accountants in Ireland;
any other body of accountants established in the United Kingdom and for the time being recognised by the Secretary of State for the purposes of [F²section 389(1)(a) of the Companies Act 1985];
but a Scottish firm may be so appointed if each of its partners is qualified to be so appointed.
- (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.

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Textual Amendments

- F2** Words substituted by [Companies Consolidation \(Consequential Provisions\) Act 1985 \(c. 9, SIF 27\)](#), s. 30, [Sch. 2](#)

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