

Status: Point in time view as at 10/07/1996.

Changes to legislation: Medical Act 1983, SCHEDULE 3 is up to date with all changes known to be in force on or before 12 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 3

Section 33.

REGISTRATION: SUPPLEMENTARY PROVISIONS

Preliminary

- 1 (1) Subject to the following provisions of this Schedule, any right to registration of persons under section 3 or 15 of this Act or of qualifications under section 16 or 26 of this Act shall be conditional on the making of such an application, supported by such evidence, as is required by this Schedule.
- (2) Nothing in this Schedule applies to anything done in pursuance of a direction under section 41 of this Act for restoration to the register.

To which registrar application to be made

- 2 (1) The following applications shall be made to the registrar of one of the branch councils, that is to say—
 - (a) applications for registration of persons under paragraph (a) of section 3 or section 15 of this Act; and
 - (b) applications under section 16 of this Act (other than applications for registration of primary European qualifications where the applicant was registered under section 3(b) of this Act by virtue of those qualifications).
- (2) The following applications shall be made to the Registrar, that is to say—
 - (a) applications for registration of persons under paragraph (b) of section 3 of this Act and for the registration of the qualifications of those persons by virtue of which they were entitled to be registered under that paragraph;
 - (b) applications relating to inclusion in the overseas list of the register of medical practitioners; and
 - (c) applications under section 26 of this Act.
- (3) In the following provisions of this Schedule “the appropriate registrar”, in relation to an application for registration, means the registrar to whom, in accordance with this paragraph, the application is made.

Proof of qualifications

- 3 (1) Subject to sub-paragraph (2) below, a person making an application for registration under section 3 or 15 of this Act or an application under section 16 of this Act for the registration of the primary United Kingdom or primary European qualifications

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he holds when he is registered under those sections shall produce or send to the appropriate registrar the document conferring or evidencing the qualification by virtue of which the application is made together with a statement of his name and address and such other particulars (if any) as may be required for registration.

(2) Any university in the United Kingdom or any other body specified in section 4(3) of this Act may from time to time send to the Registrar or the registrar of a branch council lists certified under that body's seal of the persons who have been granted qualifications by the body stating the qualifications and addresses of the persons included in the list, and a registrar—

- (a) may for the purposes of this Act treat any such list sent to that registrar as sufficient evidence of the entitlement of any person mentioned in it to the qualification or qualifications which he is stated in it to have been granted; and
- (b) on an application for registration under section 3 or 15 of this Act or an application under section 16 of this Act for the registration of primary United Kingdom qualifications held on registration under those sections may issue a certificate of registration under paragraph 5 below to a person mentioned in any such list sent to that registrar as having been granted a primary United Kingdom qualification without the document mentioned in sub-paragraph (1) above being produced or sent to him.

[^{F1}(3) Where an application is made for registration under section 3(1)(b) of this Act (whether by a national of an EEA State or a person treated as such a national), the appropriate registrar shall take no account of any document issued in accordance with article 11 or 12 of Directive 93/16/EEC which is received by him more than three months after the date of its issue.]

Textual Amendments

F1 Sch. 3 para. 3(3) inserted (10.7.1996) by S.I. 1996/1591, reg. 7, Sch. 2 para. 14(1)

4 A registrar shall not register any qualification, whether on first registration of a person or by way of addition, unless he is satisfied that the person claiming the qualification is entitled to it; but if a registrar to whom an application for registration of a qualification is made determines that he is not so satisfied, the applicant may appeal to the General Council.

Issue of certificates of registration

5 [^{F2}(1) Subject to the foregoing provisions of this Schedule, on an application for the registration of a person under section 3 or 15 of this Act the appropriate registrar, if satisfied that the applicant is entitled to be registered in accordance with the application—

- (a) shall issue to the applicant the certificate of registration required by this paragraph; and
- (b) in the case of an application under section 3 made by virtue of subsection (1) (b) of that section (whether by a national of an EEA State or a person treated as such a national), shall do so before the end of the requisite period.

(1A) In sub-paragraph (1) above “the requisite period” means—

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- (a) the period of three months beginning with the date on which the appropriate registrar received all the documents enabling him to be satisfied of the applicant's entitlement to be registered in accordance with the application, or
 - (b) such longer period as is permitted by article 15 of Directive 93/16/EEC.]
- (2) On registering a person under section 19, 21, 22 or 27 of this Act the Registrar shall issue to the applicant the certificate of registration required by this paragraph.
- (3) Subject as aforesaid, on an application for the registration of a qualification under section 16 or 26 of this Act, the appropriate registrar if satisfied that the applicant is entitled to have the qualification registered in accordance with the application shall issue to the applicant the certificate of registration required by this paragraph.
- (4) A certificate of registration under this paragraph must be in the form prescribed by regulations under section 31 of this Act for entries in the register in question and shall state the name of the applicant and such other particulars as may be prescribed by the regulations.

Textual Amendments

F2 Sch. 3 para. 5(1) replaced by paras. 5(1)(1A) (10.7.1996) by S.I. 1996/1591, reg. 7, Sch. 2 para. 14(2)

Entry in or alteration of a register

- 6 (1) Without prejudice to sub-paragraph (2) below, the particulars stated in any certificate of registration issued under paragraph 5(1) or (3) above shall be deemed for all purposes to have been duly registered on the date of issue of the certificate except in so far as they were actually registered before that date, and references in this Act to registration shall be construed accordingly.
- (2) On issuing a certificate of registration under paragraph 5(1) or (3) above the appropriate registrar shall—
 - (a) if he is the registrar of a branch council (but is not also the Registrar), with all convenient speed send a copy of the certificate certified under his hand to the Registrar, who shall forthwith cause an appropriate entry or alteration to be made in the register in question; or
 - (b) if he is the Registrar, forthwith cause an appropriate entry or alteration to be made in the register in question.
- (3) An entry or alteration made in a register in pursuance of this paragraph shall bear the same date as the certificate of registration by virtue of which it is made.

Visiting [^{F3}EEA practitioners]

Textual Amendments

F3 Words in the heading to Sch. 3 para. 7 substituted (10.7.1996) by S.I. 1996/1591, reg. 7, Sch. 2 para. 14(3)

- 7 (1) No application shall be required for registration under section 18 of this Act.
- (2) The Registrar may issue certificates of registration to visiting [^{F4}EEA practitioners].

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Textual Amendments

F4 Words in Sch. 3 para. 7(2) substituted (10.7.1996) by S.I. 1996/1591, reg. 7, **Sch. 2 para. 14(3)**

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