

Status: Point in time view as at 03/11/2008.

Changes to legislation: Medical Act 1983, SCHEDULE 3 is up to date with all changes known to be in force on or before 10 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 [^{F1}section [^{F2}3, 14A, 15, 15A or 19A]] 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.

Textual Amendments

- F1** Words in Sch. 3 para. 1(1) substituted (4.12.2000) by [S.I. 2000/3041, reg. 4\(7\)\(a\)](#)
- F2** Words in Sch. 3 para. 1(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\), regs. 1\(2\), 33\(2\)](#)

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 [^{F3}section 3(1)(a)] [^{F4}15 or 15A] 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 [^{F5}section 3(1)(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 [^{F6}section 3(1)(b)] [^{F7}14A or 19A] 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;
 - ^{F8}(b)
 - (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.

Status: Point in time view as at 03/11/2008.

Changes to legislation: Medical Act 1983, SCHEDULE 3 is up to date with all changes known to be in force on or before 10 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)

Textual Amendments

- F3** Words in Sch. 3 para. 2(1)(a) substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(f)(h), **9(4)(a)**, **15(1)** (with transitional provisions in Sch. 2)
- F4** Words in Sch. 3 para. 2(1)(a) substituted (4.12.2000) by [S.I. 2000/3041](#), **reg. 4(7)(b)**
- F5** Words in Sch. 3 para. 2(1)(b) substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(f), **9(4)(b)** (with transitional provisions in Sch. 2)
- F6** Words in Sch. 3 para. 2(2)(a) substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(f), **9(4)(c)** (with transitional provisions in Sch. 2)
- F7** Words in Sch. 3 para. 2(2)(a) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **33(3)**
- F8** Sch. 3 para. 2(2)(b) 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), **9(4)(d)** (with Sch. 2)

Proof of qualifications

- 3 (1) Subject to sub-paragraph (2) below, a person making an application for registration under ^[F9]section ^[F10]3, 14A, 15, 15A or 19A of this Act or an application under section 16 of this Act for the registration of ^[F11]any primary United Kingdom or primary European qualifications he holds when he is registered under ^[F12]section 3, 14A, 15 or 15A of this Act 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.

^[F13](1A) An exempt person (“A”) who—

- (a) makes an application for registration under section 3(1)(b) of this Act,
- (b) holds a qualification listed in Annex V, point 5.1.1 of the Directive (evidence of formal qualifications in basic medical training), and
- (c) satisfies the requirements of article 24 of the Directive (basic medical training),

shall produce or send to the Registrar a certificate as mentioned in sub-paragraph (1B).

(1B) The certificate—

- (a) must be a certificate issued by a competent authority in A's attesting State (as defined by section 44BA(6)); and
- (b) must certify that the document conferring or evidencing A's qualification produced or sent by A under sub-paragraph (1) is evidence of formal qualifications listed in relation to that State in Annex V, point 5.1.1 of the Directive.]

- (2) Any ^[F14]body or combination of bodies included in the list maintained under section 4(1) 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

Status: Point in time view as at 03/11/2008.

Changes to legislation: Medical Act 1983, SCHEDULE 3 is up to date with all changes known to be in force on or before 10 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)

- (b) on an application for registration under [^{F9}section 3, 15 or 15A] 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.

^{F15}(3)

Textual Amendments

- F9** Words in Sch. 3 para. 3(1)(2)(b) substituted (4.12.2000) by S.I. 2000/3041, **reg. 4(7)(c)**
- F10** Words in Sch. 3 para. 3(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **33(4)(a)(i)**
- F11** Words in Sch. 3 para. 3(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **33(4)(a)(ii)**
- F12** Words in Sch. 3 para. 3(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **33(4)(a)(iii)**
- F13** Sch. 3 para. 3(1A)(1B) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **33(4)(b)**
- F14** Words in Sch. 3 para. 3(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. 22**; S.I. 2008/2556, art. 2(1)(a)
- F15** Sch. 3 para. 3(3) omitted (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 virtue of [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **53**

- 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.

[^{F16}Proof of nationality

Textual Amendments

- F16** Sch. 3 paras. 4A, 4B and cross-headings inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **33(5)**

- 4A An exempt person (“A”) making an application for registration under section 3(1)(b), 14A, 15A or 19A of this Act shall produce or send to the appropriate registrar—
- (a) if A is a national of a relevant European State, proof of A's nationality;
- (b) if A is not a national of a relevant European State, proof of the Community right by virtue of which A is an exempt person.

Status: Point in time view as at 03/11/2008.

Changes to legislation: Medical Act 1983, SCHEDULE 3 is up to date with all changes known to be in force on or before 10 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)

Acknowledgement of applications

- 4B Where a person makes an application for registration under section 3, 14A, 15, 15A or 19A of this Act, the appropriate registrar, within the period of one month beginning with the date of receipt of the application, must—
- (a) acknowledge receipt of the application; and
 - (b) inform the applicant of any missing document required for the purposes of the application.]

Issue of certificates of registration

- 5 [F17(1) Subject to the foregoing provisions of this Schedule, on an application for the registration of a person under [F18]section [F19]3, 14A, 15, 15A or 19A] 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) F20 ... shall do so before the end of the requisite period.]
- [F21(1A) In this paragraph “the requisite period”—
- (a) in the case of an application under section 14A or 19A of this Act, means the period of four months beginning with—
 - (i) the date when the Registrar receives the application, or
 - (ii) if any document required for the purposes of the application is missing when the Registrar receives the application, the date on which the Registrar first has all the documents required for those purposes; and
 - (b) in the case of any other application, means the period of three months beginning with the date on which the appropriate registrar receives all the documents enabling him to be satisfied of the applicant's entitlement to be registered in accordance with the application.]
- (2) On registering a person under section 19, 21, [F22]21B, 21C, 27A or 27B] 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 F23... and shall state the name of the applicant and such other particulars as may be prescribed by the regulations.
- [F24(4A) A certificate of registration required to be issued under sub-paragraph (2) or (3) above shall be issued before the end of the requisite period.]

Textual Amendments

F17 Sch. 3 para. 5(1)(1A) substituted for Sch. 3 para. 5(1) (10.7.1996) by S.I. 1996/1591, reg. 7, Sch. 2 para. 14(2)

Status: Point in time view as at 03/11/2008.

Changes to legislation: Medical Act 1983, SCHEDULE 3 is up to date with all changes known to be in force on or before 10 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)

- F18** Words in Sch. 3 para. 5(1) substituted (4.12.2000) by [S.I. 2000/3041, reg. 4\(7\)\(c\)](#)
- F19** Words in Sch. 3 para. 5(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\), regs. 1\(2\), 33\(6\)\(a\)](#)
- F20** Words in Sch. 3 para. 5(1)(b) omitted (1.4.2005 as notified in the London Gazette dated 14.1.2005) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\), arts. 1\(2\)\(3\), 9\(5\)\(a\)](#) (with Sch. 2)
- F21** Sch. 3 para. 5(1A) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\), regs. 1\(2\), 33\(6\)\(b\)](#)
- F22** Words in Sch. 3 para. 5(2) substituted (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 \(S.I. 2006/1914\), art. 1\(2\)\(b\)\(c\)\(3\), 43](#)
- F23** Words in Sch. 3 para. 5(4) omitted (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 virtue of [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\), art. 1\(2\)\(b\)\(c\)\(3\), 17\(a\)](#)
- F24** Sch. 3 para. 5(4A) inserted (1.4.2005 as notified in the London Gazette dated 14.1.2005) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\), arts. 1\(2\)\(3\), 9\(5\)\(d\)](#) (with Sch. 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 ^{F25}... ; or
- (b) if he is the Registrar, forthwith cause an appropriate entry or alteration to be made in the register ^{F26}... .
- (3) An entry or alteration made in [^{F27}the register] in pursuance of this paragraph shall bear the same date as the certificate of registration by virtue of which it is made.

Textual Amendments

- F25** Words in Sch. 3 para. 6(2)(a) omitted (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 virtue of [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\), art. 1\(2\)\(b\)\(c\)\(3\), 17\(b\)\(i\)](#)
- F26** Words in Sch. 3 para. 6(2)(b) omitted (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 virtue of [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\), art. 1\(2\)\(b\)\(c\)\(3\), 17\(b\)\(i\)](#)
- F27** Words in Sch. 3 para. 6(3) substituted (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 \(S.I. 2006/1914\), art. 1\(2\)\(b\)\(c\)\(3\), 17\(b\)\(ii\)](#)

Status: Point in time view as at 03/11/2008.

Changes to legislation: Medical Act 1983, SCHEDULE 3 is up to date with all changes known to be in force on or before 10 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)

[^{F28}Visiting medical practitioners from relevant European States

Textual Amendments

F28 Sch. 3 para. 7 and cross-heading substituted (3.12.2007) by The European Qualifications (Health and Social Care Professions) Regulations 2007 (S.I. 2007/3101), regs. 1(2), 33(7)

- 7 (1) No application shall be required in respect of registration in the list of visiting medical practitioners from relevant European States.
- (2) The Registrar may issue certificates of registration to persons who are registered in the list of visiting medical practitioners from relevant European States.]

Status:

Point in time view as at 03/11/2008.

Changes to legislation:

Medical Act 1983, SCHEDULE 3 is up to date with all changes known to be in force on or before 10 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.