

*These notes refer to the Health and Social Care Act 2008
(c.14) which received Royal Assent on 21 July 2008*

HEALTH AND SOCIAL CARE ACT 2008

EXPLANATORY NOTES

TERRITORIAL EXTENT

New section 45B of the Medical Act 1983 – responsibilities of responsible officer

370. *Subsection (1)* allows regulations made under the new section 45A to specify the responsibilities of the responsible officer. Such responsibilities can include the evaluation of the fitness to practise of medical practitioners having a prescribed connection with the designated body and a duty to co-operate with the GMC in connection with its responsibilities either for medical revalidation (Part 3A of the Medical Act 1983) or fitness to practise proceedings (Part 5 of the Medical Act 1983). It is intended that this co-operation will include making recommendations to the GMC (with whom the final decision rests) on relicensing of medical practitioners based on individuals' records. *Subsection (3)* sets out the power to prescribe a connection between a medical practitioner and the designated body. The intention is that this power will be used to ensure that all medical practitioners in the UK come within the remit of a responsible officer. *Subsection (4)* enables the designated body to confer on the responsible officer any powers needed to undertake such responsibilities. *Subsection (5)* requires designated bodies to have regard to the responsible officer's functions under the regulations if it gives them other functions to perform.