
STATUTORY INSTRUMENTS

1990 No. 1587

MEDICAL PROFESSION

The General Medical Council Preliminary Proceedings
Committee and Professional Conduct Committee
(Procedure) (Amendment) Rules Order of Council 1990

<i>Made</i>	- - - -	<i>1st August 1990</i>
<i>Laid before Parliament</i>		<i>9th August 1990</i>
<i>Coming into force</i>	- -	<i>31st August 1990</i>

At the Council Chamber, Whitehall, the 1st day of August 1990

By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in pursuance of paragraphs 1 and 5 of Schedule 4 to the Medical Act 1983⁽¹⁾ the General Medical Council have made the General Medical Council Preliminary Proceedings Committee and Professional Conduct Committee (Procedure) (Amendment) Rules 1990 as set out in the Appendix to this Order:

And whereas by sub-paragraph (5) of the said paragraph 1 such Rules shall not come into force until approved by order of the Privy Council:

Now, therefore, Their Lordships, having taken the said Rules into consideration, are pleased to approve the same.

This Order may be cited as the General Medical Council Preliminary Proceedings Committee and Professional Conduct Committee (Procedure) (Amendment) Rules Order of Council 1990, and shall come into force on 31st August 1990.

G. I. de Deney
Clerk of the Privy Council

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

APPENDIX

THE GENERAL MEDICAL COUNCIL PRELIMINARY PROCEEDINGS COMMITTEE AND PROFESSIONAL CONDUCT COMMITTEE (PROCEDURE) (AMENDMENT) RULES 1990

The General Medical Council, in exercise of their powers under paragraphs 1 and 5 of Schedule 4 to the Medical Act 1983, and after consulting such bodies of persons representing medical practitioners as appeared to the Council to be requisite, as required by those paragraphs, hereby make the following Rules:—

Citation and commencement

1. These Rules may be cited as the General Medical Council Preliminary Proceedings Committee and Professional Conduct Committee (Procedure) (Amendment) Rules 1990, and shall come into operation on 31st August, 1990.

Amendment of the 1988 Rules

2. The General Medical Council Preliminary Proceedings Committee and Professional Conduct Committee (Procedure) Rules 1988(2) shall be amended as follows:—

(a) In rule 2 the following definitions shall be inserted, respectively, before and after the definition of “the legal assessor”:—

““lay member of the Council” means a member who is nominated in accordance with paragraph 4 of Schedule 1 to the Act, and who is neither fully registered nor the holder of any qualification registrable under the Act;” and

““medical member of the Council” means a member who is elected or appointed to the Council in accordance with paragraphs 1—3 of Schedule 1 to the Act, and who is fully registered, provisionally registered, or registered with limited registration;”.

(b) In rule 4 (1)(a) and (b) and rule 4 (3) the word “medical” shall be inserted before “member of the Council” in each place where those words occur.

(c) In rule 4 (4) the word “medical” shall be inserted before “members of the Council”.

(d) After rule 4 (4) there shall be inserted the following:—

“(5) The President shall also nominate a lay member of the Council, whom the Council shall appoint, to assist him, or any medical members of the Council appointed under this rule, in the initial consideration of complaints.”.

(e) Existing rule 4 (5) shall be renumbered as rule 4 (6) and in that rule the word “medical” shall be inserted before “member of the Council”.

(f) In rule 6 (3) the words “Subject to rule 6 (4), unless” shall be substituted for “Unless”.

(g) After rule 6 (3) there shall be inserted:

“(4) Where it appears to the President that a complaint need not proceed further (whether or not a statutory declaration or affidavit has been received in support thereof), he shall direct that the complainant be so informed, provided that no such direction shall be made except with the concurrence of the lay member appointed under rule 4 (5).”.

(h) The following proviso to rule 10 (2) shall be inserted after “rule 6 or 7.”:—

“Provided that the President shall not decide not to refer a complaint to the Preliminary Proceedings Committee except with the concurrence of the lay member appointed under rule 4 (5).”.

(2) Annexed to S.I. 1988/2255

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Given under the official seal of the General Medical Council this twenty-fourth day of May nineteen hundred and ninety.

L.S.

Robert Kilpatrick
President

EXPLANATORY NOTE

(This note is not part of the Order)

The Rules approved by this Order amend the General Medical Council Preliminary Proceedings Committee and Professional Conduct Committee (Procedure) Rules 1988 (annexed to S.I. [1988/2255](#)) by providing for the nomination of a lay member of the Council to assist in the initial consideration of complaints under those Rules.