

## SCHEDULE 5

regulation 13(2) and (3)

### ADVISORY COMMITTEES

#### PART I

##### SPECIFIED FAILURES TO COMPLY WITH TERMS OF SERVICE

1. Any of the following failures to comply with terms of service is specified for the purposes of regulation 13(2) in relation to a doctor—
  - (a) a failure to exercise reasonable care and skill in the treatment of a patient;
  - (b) a failure to visit, or to treat, a patient whose condition so requires;
  - (c) a failure to order, or to provide, any necessary drug or appliance for the use of a patient;
  - (d) a failure to discharge any obligation on a doctor to give a patient the requisite assistance to enable him to obtain any treatment which is not within the scope of the doctor's obligations under his terms of service.
2. A failure to exercise a proper degree of skill and attention in the treatment of a patient is specified for the purposes of regulation 13(2) in relation to a dentist.

#### PART II

##### THE MEDICAL ADVISORY COMMITTEE

3. The committee (in these Regulations referred to as the Medical Advisory Committee) which is to advise the Secretary of State on questions referred to it under regulation 13(2) or (4) in relation to doctors shall be constituted in accordance with the following provisions of this Part.
4. The Medical Advisory Committee shall have six members who shall be appointed by the Secretary of State in accordance with paragraphs 5 and 6.
5. The chairman shall be a doctor who—
  - (a) has been engaged in the provision of medical services under the Act for not less than 10 years; and
  - (b) has been selected after consultation with a body which is, in the Secretary of State's opinion, representative of doctors engaged in the provision of general medical services.
6. Of the remaining five members—
  - (a) three shall be doctors selected from the doctors' panel; and
  - (b) two shall be doctors who are not on the doctors' panel but who have been engaged in the provision of general medical services for not less than 10 years.
7. The Secretary of State shall also appoint a doctor who satisfies the requirements of subparagraphs (a) and (b) of paragraph 5 to act as deputy to the chairman.
8. The quorum for the Medical Advisory Committee shall comprise the chairman or, in his absence, the deputy chairman and—
  - (a) two of the members appointed in accordance with paragraph 6(a); and
  - (b) one of the members appointed in accordance with paragraph 6(b).
9. In the event of an equality of voting among members of the Medical Advisory Committee, the chairman or, as the case may be, the deputy chairman shall have a second or casting vote.

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

## PART III

### THE DENTAL ADVISORY COMMITTEE

**10.** The committee (in these Regulations referred to as the Dental Advisory Committee) which is to advise the Secretary of State on questions referred to it under regulations 13(2) or (4) or 14(3) in relation to dentists shall be constituted in accordance with the following provisions of this Part.

**11.** The Dental Advisory Committee shall have six members who shall be appointed by the Secretary of State in accordance with paragraphs 12 and 13.

**12.** The chairman shall be a dentist selected after consultation with a body which is, in the opinion of the Secretary of State, representative of dentists.

**13.** The remaining five members shall be dentists, three of whom shall be selected from the dentists' panel.

**14.** The Secretary of State shall also appoint a dental officer to act as deputy to the chairman.

**15.** The quorum for the Dental Advisory Committee shall comprise the chairman or, in his absence, the deputy chairman and—

- (a) two of the members selected from the dentists' panel; and
- (b) one of the members who is not on that panel.

**16.** In the event of an equality of voting among members of the Dental Advisory Committee, the chairman or, as the case may be, the deputy chairman shall have a second or casting vote.