

SCHEDULE 9

Article 31(5)

CONSEQUENTIAL AMENDMENTS TO PRIMARY LEGISLATION

1. In the Race Relations Act 1976 ^{M1}, in Part II of Schedule 1A (bodies and other persons added after commencement of general statutory duty), under the cross-heading “Health”—

- (a) “The Joint Committee on Postgraduate Training for General Practice.” and “The Specialist Training Authority of the Medical Royal Colleges.” shall be omitted from the list; and
- (b) “The Postgraduate Medical Education and Training Board.” shall be inserted in the appropriate position in the list.

Marginal Citations

M1 1976 c. 74, to which relevant amendments were made by [S.I. 2001/3457](#).

2. In the National Health Service Act 1977—

- (a) section 31 (requirement of suitable experience) and section 32 (regulations as to s. 31) shall be omitted;
- (b) in section 102 (allowances and remuneration for members of certain bodies)—
 - (i) in subsection (1), paragraph (a)(iii) shall be omitted,
 - (ii) in subsection (2), paragraph (b) shall be omitted; and
- (c) in section 126 (orders and regulations, and directions), in subsection (2), paragraph (a) shall be omitted.

3. In the National Health Service (Scotland) Act 1978 ^{M2}—

- (a) in section 17E (personal medical or dental services: regulations), subsection (6) shall be omitted;
- (b) in section 17EB (application for inclusion in services list)—
 - (i) at the end of subsection (1)(a), the word “or” shall be omitted, and
 - (ii) subsection (1)(b), (2) and (3) shall be omitted;
- (c) section 21 (requirement of suitable experience) and section 22 (regulations as to section 21) shall be omitted;
- (d) in section 23 (distribution of general medical services), in subsection (4), “, or as required by section 21” shall be omitted; and
- (e) in section 24C (application for inclusion in supplementary list)—
 - (i) at the end of subsection (1)(a), the word “or” shall be omitted, and
 - (ii) subsection (1)(b), (2) and (3) shall be omitted.

Marginal Citations

M2 1978 c. 29, to which relevant amendments were made by: the National Health Service (Primary Care) Act 1997, section 22(2) (insofar as it relates to personal medical services, section 22(2) is in force, but it is not yet in force in relation to personal dental services); and by the [Community Care and Health \(Scotland\) Act 2002 \(asp 5\)](#), [section 18](#).

4. In the Health and Personal Social Services (Northern Ireland) Order 1978 ^{M3}, Part III (Vocational Training for Medical Practitioners) shall be omitted.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Marginal Citations

M3 S.I. 1978/1907 (N.I.26).

5. In section 21A of the Medical Act 1983^{M4} (full registration for eligible specialists and qualified general practitioners), for sub-sections (2) and (3), there shall be substituted—

“(2) In subsection (1)(b) above—

“eligible specialist” means a person—

(a) who—

(i) has undertaken specialist medical training or been awarded specialist medical qualifications in a specialty in which the United Kingdom awards a CCT, and

(ii) has satisfied the Board that that specialist training or those qualifications, or both when considered together, are equivalent to a CCT in the specialty in question;

(b) who—

(i) has undertaken specialist medical training or been awarded specialist medical qualifications outside the United Kingdom in a specialty in which the United Kingdom does not award a CCT, or

(ii) has knowledge of or experience in any medical specialty derived from academic or research work,

and has satisfied the Board that these give him a level of knowledge and skill consistent with practice as a consultant in the National Health Service;

(c) who—

(i) has specialist medical qualifications awarded outside the United Kingdom in a specialty in which the United Kingdom awarded a CCST; and

(ii) satisfied the former competent authority, or the Board pursuant to transitional arrangements, that those qualifications were equivalent to a CCST; or

(d) who—

(i) has specialist medical qualifications awarded outside the United Kingdom in a specialty in which the United Kingdom did not award a CCST, or

(ii) has knowledge of or experience in any medical specialty derived from academic or research work,

and has satisfied the former competent authority, or the Board pursuant to transitional arrangements, that these give him a level of knowledge and skill consistent with practice as a consultant in that specialty in the National Health Service; and

“qualified general practitioner” means a person—

(a) who—

(i) has undertaken training in general practice or obtained qualifications in general practice, and

(ii) has satisfied the Board that that training is, or those qualifications are, or both when considered together are equivalent to a CCT in general practice;

or

- (b) has been awarded a Certificate of Equivalent Experience by the Joint Committee on Postgraduate Training for General Practice, or by the Board pursuant to transitional arrangements.

(3) In this section—

“the Board” means the Postgraduate Medical Education and Training Board;

“CCT” means Certificate of Completion of Training;

“CCST” means Certificate of Completion of Specialist Training;

“the former competent authority” means the Specialist Training Authority of the medical Royal Colleges; and

“transitional arrangements” means arrangements made for a period of time following the transfer of certain functions from the former competent authority to the Board, or from the Joint Committee on Postgraduate Training for General Practice to the Board (as the case may be).”.

Marginal Citations

M4 1983 c. 54; section 21A was inserted by S.I. 2002/3135.

6. In the National Health Service (Primary Care) Act 1997—

(a) in section 2 (provision of personal medical services)—

(i) in subsection (2), for paragraph (b) there shall be substituted—

“(b) an eligible medical practitioner;”, and

(ii) for subsection (4), there shall be substituted—

“(4) Regulations shall make provision as to the meaning of “eligible medical practitioner” for the purposes of this section.”;

(b) section 11 (medical practitioners to be suitably experienced) shall be omitted;

(c) in section 22 (supplementary regulations)—

(i) in subsection (1), the subsection (6) of the section 28E (personal medical or dental services: regulations) to be inserted into the 1977 Act shall be omitted, and

(ii) in subsection (2)^{M5}, the subsection (6) of the section 17E to be inserted into the 1978 Act shall be omitted; and

(d) in section 33 (medical lists and vacancies: Scotland), subsection (3) shall be omitted.

Marginal Citations

M5 Section 22(2) of the National Health Service (Primary Care) Act 1997 that inserts section 17E into the National Health Service (Scotland) Act 1978 has been commenced insofar as it relates to personal medical services but not in relation to personal dental services.

7. In the Health Services (Primary Care) (Northern Ireland) Order 1997^{M6}—

(a) in Article 4 (provision of personal medical services under a pilot scheme)—

(i) for paragraph (2)(b) there shall be substituted—

“(b) an eligible medical practitioner;”, and

(ii) for paragraph (4), there shall be substituted—

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“(4) Regulations shall make provision as to the meaning of “eligible medical practitioner” for the purposes of this Article.”; and

(b) Article 12 (medical practitioners to be suitably experienced) shall be omitted.

Marginal Citations

M6 S.I. 1997/1177 (N.I.7).

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Sch. 9 para. 7 omitted by [S.R. 2004/156 Sch. 1 para. 15\(5\)](#)
- Sch. 9 para. 6(d) omitted by [S.I. 2004/2261 Sch. para. 5\(b\)](#)
- Sch. 9 para. 7 omitted by [S.I. 2004/3038 Sch. para. 4\(5\)](#)
- Sch. 9 para. 2(a) omitted by [S.I. 2004/1016 Sch. 1 para. 33\(7\)\(a\)](#)
- Sch. 9 para. 2(b) omitted by [S.I. 2004/1016 Sch. 1 para. 33\(7\)\(a\)](#)
- Sch. 9 para. 6(a) omitted by [S.I. 2004/1016 Sch. 1 para. 33\(7\)\(b\)](#)
- Sch. 9 para. 6(b) omitted by [S.I. 2004/1016 Sch. 1 para. 33\(7\)\(b\)](#)
- Sch. 9 para. 6(c)(i) omitted by [S.I. 2004/1016 Sch. 1 para. 33\(7\)\(b\)](#)
- Sch. 9 para. 2 revoked by [2006 c. 43 Sch. 4](#)
- Sch. 9 para. 6(c)(i) revoked by [2006 c. 43 Sch. 4](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Order revoked by [S.I. 2010/234 Sch. 3 Pt. 3](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 6A inserted by [S.I. 2004/1947 reg. 5\(7\)](#)
- Sch. 6A repealed by [S.I. 2007/3101 reg. 62](#)
- Sch. 7A inserted by [S.I. 2007/3101 reg. 64](#)
- Sch. 8 para. 22(c) substituted by [S.R. 2004/156 Sch. 1 para. 15\(4\)](#)
- Sch. 9 para. 3(b)-(e) omitted by [S.I. 2004/2261 Sch. para. 5\(a\)](#)
- Sch. 9 para. 2(a)(b) omitted by [S.I. 2004/865 Sch. 1 para. 37\(7\)\(a\)](#)
- Sch. 9 para. 6(a)(b)para. 6(a)(c)(i) omitted by [S.I. 2004/865 Sch. 1 para. 37\(7\)\(b\)](#)
- art. 10(2)(b)(ba) substituted for art. 10(2)(b) by [S.I. 2007/3101 reg. 41\(a\)\(i\)](#)
- art. 10(2)(d) and word inserted by [S.I. 2007/3101 reg. 41\(a\)\(ii\)](#)
- art. 10(3A) inserted by [S.I. 2007/3101 reg. 41\(c\)](#)
- art. 11(1)(aa) inserted by [S.I. 2004/1947 reg. 5\(3\)\(b\)](#)
- art. 11(3A) inserted by [S.I. 2007/3101 reg. 42\(c\)](#)
- art. 11A inserted by [S.I. 2007/3101 reg. 43](#)
- art. 13(2)(b)-(d) substituted for art. 13(2)(b) by [S.I. 2007/3101 reg. 45\(a\)\(ii\)](#)
- art. 13(3A) inserted by [S.I. 2007/3101 reg. 45\(c\)](#)
- art. 14(2A) inserted by [S.I. 2007/3101 reg. 46\(a\)](#)
- art. 14(3A) inserted by [S.I. 2008/3131 Sch. 2 para. 20](#)
- art. 14(5A) inserted by [S.I. 2007/3101 reg. 46\(d\)](#)
- art. 14A inserted by [S.I. 2007/3101 reg. 47](#)
- art. 15(1)(b)(ba) substituted for art. 15(1)(b) by [S.I. 2007/3101 reg. 48\(3\)](#)
- art. 15(1)(g) inserted by [S.I. 2004/1947 reg. 5\(4\)\(a\)](#)
- art. 15(1)(g) words substituted by [S.I. 2007/3101 reg. 48\(8\)\(c\)](#)
- art. 15(1)(g)(iii) words substituted by [S.I. 2007/3101 reg. 48\(8\)\(b\)](#)
- art. 15(1)(g)(ii) words substituted by [S.I. 2007/3101 reg. 48\(8\)\(a\)\(i\)](#)
- art. 15(1)(g)(ii) words substituted by [S.I. 2007/3101 reg. 48\(8\)\(a\)\(ii\)](#)
- art. 15(2)(ee) inserted by [S.I. 2004/1947 reg. 5\(4\)\(b\)](#)
- art. 15A inserted by [S.I. 2007/3101 reg. 49](#)
- art 15B inserted by [S.I. 2008/3131 Sch. 2 para. 21](#)
- art. 18(2A)(2B) inserted by [S.I. 2007/3101 reg. 51\(b\)](#)
- art. 21(2)(i)(j) omitted by [S.I. 2007/3101 reg. 54\(a\)\(v\)](#)
- art. 21(2)(fa)(fb) inserted by [S.I. 2007/3101 reg. 54\(a\)\(ii\)](#)

- art. 21(2)(ha)(hb) inserted by S.I. 2007/3101 reg. 54(a)(iv)
- art. 21(2A) inserted by S.I. 2007/3101 reg. 54(b)
- art. 21(3A) inserted by S.I. 2007/3101 reg. 54(d)
- art. 23(1A) inserted by S.I. 2007/3101 reg. 55(a)