

## SCHEDULE 9

Article 31(5)

### CONSEQUENTIAL AMENDMENTS TO PRIMARY LEGISLATION

#### *Race Relations Act 1976 (c. 74)*

1. In the Race Relations Act 1976(1), 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.

#### *National Health Service Act 1977 (c. 49)*

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.

#### *National Health Service (Scotland) Act 1978 (c. 29)*

3. In the National Health Service (Scotland) Act 1978(2)—

- (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.

---

(1) 1976 c. 74, to which relevant amendments were made by S.I. 2001/3457.

(2) 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.

*Status:* This is the original version (as it was originally made).

*Health and Personal Social Services (Northern Ireland) Order 1978*

4. In the Health and Personal Social Services (Northern Ireland) Order 1978(3), Part III (Vocational Training for Medical Practitioners) shall be omitted.

*Medical Act 1983 (c. 54)*

5. In section 21A of the Medical Act 1983(4) (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—

---

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

(4) 1983 c. 54; section 21A was inserted by S.I. 2002/3135.

- (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).”.

*National Health Service (Primary Care) Act 1997 (c. 46)*

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)(5), 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.

*Health Services (Primary Care) (Northern Ireland) Order 1997*

7. In the Health Services (Primary Care) (Northern Ireland) Order 1997(6)—
- (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

---

(5) 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.

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

**Status:** *This is the original version (as it was originally made).*

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

“(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.