
STATUTORY INSTRUMENTS

2006 No. 1914

**The Medical Act 1983 (Amendment) and
Miscellaneous Amendments Order 2006**

PART 12

Miscellaneous amendments in connection with fees

Amendment of section 46 of the Act

73. In section 46(1) (recovery of fees)—

(a) in subsection (1)—

(i) after “subsection (2)” insert “or (2A)”, and

(ii) omit “or for any medicine which he has both prescribed and supplied”; and

(b) after subsection (2) insert the following subsection—

“(2A) Subsection (1) above shall not apply to fees in respect of medical services lawfully provided—

(a) under arrangements to provide services as part of the health service, the Northern Ireland health service or the Scottish health service (those terms having the same meaning here as in section 29G(3) above);

(b) by any person who is not a medical practitioner but who is entitled to provide those medical services by virtue of an enforceable Community right;

(c) by a person who is a member of a profession regulated by a body, apart from the General Council, mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002(2).”

(1) Section 46 was amended by S.I.1996/1591 and 2002/3135.

(2) 2002 c. 17.