
STATUTORY INSTRUMENTS

2014 No. 1101

**The Medical Act 1983 (Amendment)
(Knowledge of English) Order 2014**

PART 2

Licence to Practise

Amendments to section 29B of the Act

3.—(1) Section 29B of the Act (grant, refusal and withdrawal of licence)(1) is amended in accordance with this article.

(2) In subsection (1) after ‘shall’ insert ‘subject to subsection (1A),’.

(3) After subsection (1) insert—

“(1A) Regulations under section 29A may include provision for a licensing authority to refuse to grant a licence to practise for a medical practitioner in any case where the person has not demonstrated the necessary knowledge of English to the authority (notwithstanding the medical practitioner’s registration under Part 2 or 3).

(1B) Regulations under section 29A which include provision under subsection (1A) must also include provision requiring the licensing authority, when determining whether a medical practitioner has demonstrated the necessary knowledge of English, to have regard to guidance published under section 29G(2A).”.

(4) After subsection (2C) insert—

“(2D) Regulations under section 29A may include provision requiring a licensing authority to take account, in particular, of such evidence as a medical practitioner provides of his knowledge of English.”.

Amendments to section 29G of the Act

4.—(1) Section 29G of the Act (guidance)(2) is amended in accordance with this article.

(2) After subsection (2) insert—

“(2A) The General Council must publish guidance relating to the evidence, information or documents to be provided for the purposes of demonstrating that a medical practitioner has the necessary knowledge of English.”.

(1) Section 29B was added by [S.I. 2002/3135](#) (commencement as notified in the London Gazette dated August 21, 2009), and amended by [S.I. 2006/1914](#); and [S.I. 2008/3131](#) (date to be appointed); there are other amending instruments but none are relevant.

(2) Section 29G was added by [S.I. 2002/3135](#) (commencement as notified in the London Gazette on August 21, 2009), and amended by [S.I. 2008/3131](#) and [S.I. 2010/234](#).

Amendments to section 29J of the Act

5.—(1) Section 29J of the Act (miscellaneous)(3) is amended in accordance with this article.

(2) After subsection (2D) insert—

“(2E) Regulations under section 29A may make provision in connection with determining whether a medical practitioner has demonstrated the necessary knowledge of English; and the regulations may in particular—

- (a) provide for the licensing authority to require a person to undertake an assessment to demonstrate whether the person has the necessary knowledge of English;
- (b) require a person to provide any evidence, information or document which the licensing authority may reasonably request for the purpose of demonstrating whether the person has the necessary knowledge of English but the regulations may not require, or enable the licensing authority to request, evidence or information demonstrating that the practitioner’s knowledge of English exceeds the necessary knowledge of English;
- (c) provide for the powers of the licensing authority in section 29E(1)(a) and (b) to be exercisable in relation to a person in connection with any refusal or failure by the person to provide the licensing authority with such information;
- (d) make provision equivalent to section 29E(5) to (9) as to the disclosure of such information to the licensing authority (with appropriate modifications).”.

(3) Section 29J was added by [S.I. 2002/3135](#) (commencement as notified in the London Gazette on August 21, 2009, and December 3, 2012), and amended by [S.I. 2008/3131](#) as commenced by [S.I. 2009/2200](#).