
STATUTORY INSTRUMENTS

2015 No. 794

The General Medical Council (Fitness to Practise and Over-arching Objective) and the Professional Standards Authority for Health and Social Care (References to Court) Order 2015

PART 2

The Medical Practitioners Tribunal Service

Legal assessors

13.—(1) In paragraph 7 of Schedule 4 to the Medical Act (legal assessors)⁽¹⁾, in sub-paragraph (1)—

- (a) omit paragraph (b),
- (b) omit paragraph (c) and the preceding “or”,
- (c) for “them” substitute “the Committee”,
- (d) for “the Panel” substitute “the Committee”, and
- (e) omit the words from “and shall be” to the end.

(2) After that sub-paragraph insert—

“(1A) The General Council must set and publish the criteria which a person must satisfy (whether in relation to qualifications, experience, competencies or other matters) in order to be eligible for appointment under sub-paragraph (1).”

(3) After sub-paragraph (1A) of that paragraph (inserted by paragraph (2) above) insert—

“(1B) The MPTS must appoint a person as an assessor to a Medical Practitioners Tribunal or an Interim Orders Tribunal for the purpose of advising the Tribunal on questions of law arising in proceedings before them—

- (a) if the chair of the Tribunal is not a legally qualified person, or
- (b) in any other case where they consider it appropriate to do so.

(1C) The MPTS must set and publish the criteria which a person must satisfy (whether in relation to qualifications, experience, competencies or other matters) in order to be eligible for appointment under sub-paragraph (1B).

(1D) In sub-paragraph (1B), “legally qualified person” means a person who satisfies such criteria as are set under sub-paragraph (1C) in relation to legal qualifications and legal experience.”

(4) After sub-paragraph (2) of that paragraph insert—

“(2A) The General Council may make rules containing provision for a body (including a committee of the General Council which is not one of the statutory committees) to assist

(1) Paragraph 7 of Schedule 4 was amended by [S.I. 2006/1914](#).

the MPTS in connection with the exercise of any function relating to the appointment of a person as an assessor.”

(5) In sub-paragraph (4) of that paragraph—

- (a) for “an Interim Orders Panel or a Fitness to Practise Panel” substitute “a Medical Practitioners Tribunal or an Interim Orders Tribunal”, and
- (b) for “a Panel” substitute “a Tribunal” and for “the Panel”, in each place it appears, substitute “the Tribunal”.

(6) In section 44 of the Medical Act (effect of disqualification in another relevant European State on registration in UK)⁽²⁾, in subsection (5)(b), before “8” insert “7”.

(2) Section 44 was substituted by [S.I. 2002/3135](#) and amended by [S.I. 2007/3101](#).