
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

Articles 2 and 3: consequential provision

4.—(1) In Part 3 of Schedule 1 to the Medical Act (committees of the GMC), in paragraph 23 (membership)**(1)**—

- (a) for “paragraphs 19A, 19C and 19E” substitute “paragraph 19C”,
- (b) in paragraphs (a) and (c), omit “an Interim Orders Panel,” and “or a Fitness to Practise Panel”, and
- (c) omit paragraph (b) (but not the following “and”).

(2) In paragraph 23B of that Schedule (quorum)**(2)**, for “19A, 19B, 19C, 19D or 19E” substitute “19B, 19C or 19D”.

(3) In paragraph 23C of that Schedule (assistance with appointment functions)**(3)**, after “paragraph 23B” insert “or under paragraph 19F”.

(4) After that paragraph insert—

“**23D.** The overriding objective of the General Council in exercising the power to make rules under paragraph 19F or 19G is to secure that Medical Practitioners Tribunals and Interim Orders Tribunals deal with cases fairly and justly.”

(5) In paragraph 24 of that Schedule (requirement for Privy Council approval of rules)**(4)**, for “19A, 19B, 19C, 19D or 19E” substitute “19B, 19C, 19D, 19F or 19G”.

(6) In paragraph 25 of that Schedule (supplementary provisions relating to committees)**(5)**, in sub-paragraph (2), for “paragraph 23” substitute “paragraphs 19B, 19C, 19D, 19F, 19G and 23”.

(7) In sub-paragraph (3) of that paragraph, after “any committee of the Council” insert “(other than the MPTS or a Medical Practitioners Tribunal or Interim Orders Tribunal)”.

(8) In sub-paragraph (4) of that paragraph, after “rules made” insert “under paragraph 19F(3)(f) or 19G(2)(d) or”.

(9) In sections 35B(4), 38(1), (2) and (4), 44(5), 47(4) and 53(2) of the Medical Act, for “Fitness to Practise Panel”, in each place it appears, substitute “Medical Practitioners Tribunal”.

(1) Paragraph 23 of Schedule 1 was amended by [S.I. 2006/1914](#).

(2) Paragraph 23B of Schedule 1 was substituted by [S.I. 2002/3135](#).

(3) Paragraph 23C of Schedule 1 was inserted by [S.I. 2008/1774](#).

(4) Paragraph 24 of Schedule 1 was substituted by [S.I. 2002/3135](#).

(5) Paragraph 25 of Schedule 1 was amended by [S.I. 2000/1803](#), [S.I. 2002/3135](#) and [S.I. 2008/3131](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(10) In section 44(5) of that Act—

- (a) for “the Panel” substitute “the Tribunal”, and
- (b) for “the Panel’s” substitute “the Tribunal’s”.

(11) In sections 35B(4) and 47(4) of that Act, for “Interim Orders Panel” substitute “Interim Orders Tribunal”.

(12) In section 35CC of that Act (provisions supplementary to section 35C)(6), after subsection (1) insert—

“(1A) The reference in subsection (1) to an officer of the General Council does not include a reference to the chair of the MPTS or any other officer of the Council to whom functions of the MPTS have been delegated by virtue of paragraph 19F(7) of Schedule 1.”

(6) Section 35CC was substituted by [S.I. 2002/3135](#).