



# Medical Act 1983

## 1983 CHAPTER 54

### <sup>F1</sup><sup>F1</sup>PART 4A

#### POSTGRADUATE MEDICAL EDUCATION AND TRAINING

##### Textual Amendments

- F1** Pt. 4A inserted (11.2.2010 for specified purposes, 1.4.2010 in so far as not already in force) by [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2010 \(S.I. 2010/234\)](#), art. 1(3)(4), [Sch. 1 para. 10](#); S.I. 2010/478, art. 2(b)

#### **34C The General Practitioner Register**

- (1) The General Council shall keep a register of general practitioners (known as “the General Practitioner Register”).
- (2) The General Practitioner Register shall, subject to subsection (3), contain the names of—
  - (a) registered medical practitioners who hold a CCT in general practice;
  - (b) registered medical practitioners who have an acquired right to practise as a general practitioner in the United Kingdom pursuant to section 34G(1); and
  - (c) registered medical practitioners falling within such other categories as the Privy Council may by order specify.
- (3) A person falling within any of paragraphs (a) to (c) of subsection (2) shall only be included in the General Practitioner Register if they have applied to the Registrar for the purpose and have paid any fee specified in regulations under section 34O.

#### **34D The Specialist Register**

- (1) The General Council shall keep a register of specialist medical practitioners (known as “the Specialist Register”).

*Status: Point in time view as at 18/11/2016.*

*Changes to legislation: Medical Act 1983, PART 4A is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (2) The Specialist Register shall, subject to subsections (4) and (5), contain the names of—
  - (a) registered medical practitioners who hold a CCT in a recognised specialty;
  - (b) registered medical practitioners who are eligible to be admitted to that register in accordance with the scheme mentioned in subsection (6); and
  - (c) registered medical practitioners falling within such other categories as the Privy Council may by order specify.
- (3) The Privy Council may by order designate specialties as recognised specialties.
- (4) A person falling within any of paragraphs (a) to (c) of subsection (2) shall only be included in the Specialist Register if they have applied to the Registrar for the purpose and have paid any fee specified in regulations under section 34O.
- (5) A person is not entitled to have their name included in the Specialist Register as an oral and maxillo-facial surgeon unless the person is a registered medical practitioner and satisfies the Registrar both—
  - (a) of their entitlement to be registered in that register by virtue of subsection (2); and
  - (b) that they have successfully completed dental training that meets, or under Article 22(a) of the Directive is treated as meeting, the requirements of Article 34 of the Directive.
- (6) The scheme referred to in subsection (2)(b) is a scheme published by the General Council for the inclusion in the Specialist Register of persons who, immediately before 1st January 1997, were either NHS consultants or consultants in a medical specialty in the armed forces.
- (7) That scheme shall make provision—
  - (a) as to the criteria to be considered in determining whether to include a person's name in the Specialist Register; and
  - (b) excluding any person whose name has been removed from the Specialist Register under regulations made by virtue of subsection (2A) of section 29B (grant, refusal and withdrawal of licences to practise).
- (8) In subsection (6), “armed forces” means the naval, military or air forces of the Crown and includes the reserve forces within the meaning of section 1(2) of the Reserve Forces Act 1996 **No commentary item could be found for this reference c20127051.**
- (9) The Specialist Register shall indicate—
  - (a) the specialty in respect of which a person's name is included in that register; and
  - (b) the name, or a description of, any field within that specialty which a person has requested, subject to subsection (10), to be indicated in that register.
- (10) In order to have the relevant field indicated on the Specialist Register in accordance with subsection (9)(b), the Registrar must be satisfied that a person has completed satisfactorily—
  - (a) sub-specialty training in the United Kingdom which is approved by the General Council; or
  - (b) sub-specialty training outside the United Kingdom that the Registrar is satisfied is equivalent to sub-specialty training approved by the General Council.

*Status: Point in time view as at 18/11/2016.*

*Changes to legislation: Medical Act 1983, PART 4A is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

### **34E Applications for inclusion in the General Practitioner Register or the Specialist Register**

- (1) The General Council shall make regulations as to the procedure to be followed by, or in relation to, persons applying to the Registrar for inclusion in the General Practitioner Register or the Specialist Register.
- (2) The regulations may in particular make provision as to—
  - (a) the evidence required in support of applications;
  - (b) the time limits to be complied with in respect of applications; and
  - (c) the notification of decisions in respect of applications.
- (3) The regulations may require the Registrar to inform persons who do not hold a CCT, and in respect of whom the Registrar is not satisfied as to their eligibility for inclusion in the General Practitioner Register or the Specialist Register, of the reasons why the Registrar is not so satisfied.
- (4) The regulations may require the Registrar to inform the persons referred to in subsection (3) of—
  - (a) additional training that must be undertaken and the fields that the training must cover; and
  - (b) any examination, assessment (including a specified period of assessment), adaptation period or other test of competence that that person must complete to the Registrar's satisfaction,in order to satisfy the Registrar of their eligibility for inclusion in those Registers.
- (5) In subsection (4)(b), “adaptation period” means an adaptation period pursuant to Part 3 of the General Systems Regulations.
- (6) Regulations under this section shall not have effect until approved by order of the Privy Council.

### **34F Removal of names from the General Practitioner Register and the Specialist Register**

- (1) The Registrar must remove a person's name from the General Practitioner Register or the Specialist Register where it comes to the Registrar's notice that they are no longer a registered medical practitioner.
- (2) The Registrar may remove a person's name from the General Practitioner Register or the Specialist Register where they cease, in cases specified by the Privy Council by order, to fall within any of the categories specified by the Privy Council by order under section 34C(2)(c) or, as the case may be, section 34D(2)(c).
- (3) Subject to subsection (4), where a person removed from the General Practitioner Register or the Specialist Register under subsection (1) becomes once again a registered medical practitioner, the Registrar shall, if requested by that person, once again include that person's name in the General Practitioner Register or, as the case may be, the Specialist Register.
- (4) No request to include a person's name again in the General Practitioner Register is required under subsection (3) where a person removed from that Register under subsection (1), becomes once again a registered medical practitioner by virtue of section 18A.

*Status: Point in time view as at 18/11/2016.*

*Changes to legislation: Medical Act 1983, PART 4A is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (5) The Registrar shall send a notice to the person concerned when removing that person's name pursuant to subsection (1) or (2), as the case may be, once again including that person's name pursuant to subsection (3).
- (6) Paragraph 6 of Schedule 3A applies to notices required to be sent under subsection (5) as it applies to notices under that paragraph.

### **34G Acquired rights of general practitioners**

- (1) For the purposes of Article 30(1) of the Directive, a person has an acquired right to practise as a general practitioner in the United Kingdom if they fall within one of the categories of persons specified by the Privy Council by order.
- (2) Where, pursuant to a request in writing, the Registrar is satisfied that a person has an acquired right to practise by virtue of subsection (1), the Registrar shall issue a certificate for the purposes of Article 30(1) of the Directive.
- (3) The General Council may make rules as to the procedure to be followed in relation to, and the evidence required in support of, a request made under subsection (2).
- (4) A certificate issued under subsection (2) shall be withdrawn where the Registrar is satisfied that it has been fraudulently procured or incorrectly awarded.

### **34H Postgraduate medical education and training: general functions**

- (1) The General Council shall—
  - (a) establish standards of, and requirements relating to, postgraduate medical education and training, including those necessary for the award of a CCT in general practice and in each recognised specialty;
  - (b) secure the maintenance of the standards and requirements established under paragraph (a); and
  - (c) develop and promote postgraduate medical education and training in the United Kingdom.
- (2) In exercising their functions under this Part, the main objectives of the General Council, in addition to [F2the over-arching objective], are—
  - (a) to ensure that the needs of persons undertaking postgraduate medical education and training in each of England, Wales, Scotland and Northern Ireland are met by the standards the General Council establish under subsection (1)(a) and to have proper regard to the differing considerations applying to different groups of such persons; and
  - (b) to ensure that the needs of employers and those engaging the services of general practitioners and specialists within the UK health services are met by the standards the General Council establish under subsection (1)(a).
- (3) The standards and requirements established under subsection (1)(a) shall be set out in determinations of the General Council.
- (4) The standards and requirements established under subsection (1)(a) shall include—
  - (a) the standards required for entry to training;
  - (b) the training curricula to be followed in general practice and in each recognised speciality;

*Status: Point in time view as at 18/11/2016.*

*Changes to legislation: Medical Act 1983, PART 4A is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (c) the assessment arrangements for persons undertaking education and training in general practice and specialist medical practice;
- (d) the assessment arrangements for persons applying to the Registrar for inclusion in the General Practitioner Register or the Specialist Register who do not hold a CCT;
- (e) the outcomes to be achieved by education and training in general practice or specialist medical practice, including the levels of skill, knowledge and expertise to be achieved;
- (f) the examinations, assessments and other tests of competence to be completed, whether during or upon completion of a course of education and training in general practice or specialist medical practice; and
- (g) any other matters relating to postgraduate medical education and training for general medical practice and specialist practice as the General Council considers appropriate.

#### Textual Amendments

- F2** Words in s. 34H(2) substituted (3.8.2015) by 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 (S.I. 2015/794), arts. 1(3), **21(2)** (with art. 1(4)); S.I. 2015/1579, art. 2(1)

### 34I Postgraduate medical education and training: approvals

- (1) In order to secure the maintenance of the standards and requirements established under section 34H(1)(a), the General Council may approve—
  - (a) courses or programmes of postgraduate medical education and training (or part of such a course or programme) which the General Council are satisfied meet, or would meet, the standards and requirements established under section 34H(1)(a);
  - (b) training posts which the General Council are satisfied meet, or would meet, the standards and requirements established under section 34H(1)(a);
  - (c) general practitioners whom the General Council consider to be properly organised and equipped for providing training for GP Registrars;
  - (d) examinations, assessments or other tests of competence.
- (2) In connection with subsection (1), the General Council may approve postgraduate medical education and training taking place outside the United Kingdom.
- (3) In exercising their functions under subsection (1) or (2), the General Council may attach conditions to any approval they give or have given including, if the General Council consider appropriate, a condition limiting the period of time for which that approval is valid.
- (4) The General Council may at any time withdraw approval where they are satisfied that—
  - (a) any conditions imposed under subsection (3); or
  - (b) any standards or requirements established under section 34H(1)(a), are not being met.
- (5) If the General Council have formed the provisional opinion that an approval be—

*Status: Point in time view as at 18/11/2016.*

*Changes to legislation: Medical Act 1983, PART 4A is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (a) refused;
  - (b) given subject to conditions under subsection (3); or
  - (c) withdrawn under subsection (4),
- they shall notify that opinion in writing to the person who has applied for the approval or, as the case may be, to whom the approval was given.
- (6) Where the General Council have formed a provisional opinion under subsection (5), they shall allow—
- (a) the person who they have notified; and
  - (b) any other person who they are satisfied has a substantial interest in the matter, a reasonable opportunity to make representations to them before making the determination.
- (7) The Registrar shall cause to be published from time to time (electronically or otherwise) a list specifying—
- (a) any course or programme (or part of a course or programme), training post, general practitioner or examination, assessment or other test of competence that the General Council have approved pursuant to subsection (1) or (2);
  - (b) the date on which that approval was given;
  - (c) any conditions to which that approval is subject pursuant to subsection (3); and
  - (d) where relevant, the date on which that approval was withdrawn.

### **34J Minimum requirements for general practice training**

- (1) The minimum requirements for general practice training are that—
- (a) the training meets, or under Article 22(a) of the Directive is to be treated as meeting, the requirements of Article 28(1), the first sub-paragraph of Article 28(2) and Article 28(3) of the Directive; and
  - (b) the period of training specified in the first sub-paragraph of Article 28(2) of the Directive includes—
    - (i) a period or periods amounting to at least 12 months employment as a GP Registrar under the supervision of a general practitioner who has been approved by the General Council under section 34I(1)(c), and
    - (ii) a period or periods amounting to at least 12 months employment in a post (or posts), in one or more specialties that are approved by the General Council as being relevant to general practice.
- (2) Once the minimum training periods in subsection (1)(b) have been completed, any remaining period of training shall consist of a period of employment in a post (or posts) falling within subsection (1)(b)(i) or (ii).

### **34K Minimum requirements for specialist training**

- (1) The minimum requirements for specialist training are that the training—
- (a) constitutes an entire course of training in the recognised specialty in question;
  - (b) meets, or under Article 22(a) of the Directive is to be treated as meeting, the requirements of Article 25(1), (2) and (3) of the Directive; and
  - (c) is for a period which is at least as long as any minimum training period that the Privy Council may by order prescribe for that specialty.

*Status: Point in time view as at 18/11/2016.*

*Changes to legislation: Medical Act 1983, PART 4A is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (2) The General Council may impose conditions in relation to any part-time specialist training which it approves.

### **34L Award and withdrawal of a Certificate of Completion of Training**

- (1) Subject to subsection (3), the Registrar shall award a certificate of completion of training (CCT) to any person who applies to the General Council for that purpose if—
- (a) that person is a registered medical practitioner;
  - (b) the Registrar is satisfied that that person has been appointed to, and has satisfactorily completed, a course of training leading to the award of a CCT; and
  - (b) that course of training has been approved by the General Council under section 34I(1)(a).
- (2) The Registrar may only award a CCT in general practice or in a recognised specialty.
- (3) A CCT in the specialty of oral and maxillo-facial surgery may be awarded only to a person who has also successfully completed dental training that meets, or under Article 22(a) of the Directive is to be treated as meeting, the requirements of Article 34 of the Directive.
- (4) A CCT shall state—
- (a) the date on which it is awarded;
  - (b) that it is awarded in general practice, or, where applicable, the recognised specialty in which it is awarded;
  - (c) the name of its holder;
  - (d) the holder's primary medical qualifications and where those qualifications were awarded; and
  - (e) the holder's General Council reference number.
- (5) The General Council shall make rules as to the procedure to be followed in relation to, and the evidence required in support of, applications for a CCT.
- (6) A CCT shall be signed by the Registrar or by another person who has been nominated by the Registrar for this purpose.
- (7) A CCT shall be withdrawn where the Registrar is satisfied that it has been fraudulently procured or incorrectly awarded.

### **34M Visitors**

- (1) The General Council may, if they think fit, appoint persons to visit any body or other person by whom, or under whose direction or management, any postgraduate medical education or training is, or is proposed to be, given.
- (2) The persons appointed under subsection (1) in relation to any visit must include at least one person who—
- (a) is not, and never has been, registered with full or limited registration under any provision of this Act; and
  - (b) does not hold qualifications which would entitle an application to be made by that person for provisional or full registration under this Act.

*Status: Point in time view as at 18/11/2016.*

*Changes to legislation: Medical Act 1983, PART 4A is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (3) Persons who visit any body or person pursuant to subsection (1) shall prepare a report to the General Council on the visit.
- (4) The General Council shall, following a request by any person, make available such reports.

### **34N Power to require information**

- (1) This section applies to any body or other person that may be visited by persons appointed pursuant to section 34M(1).
- (2) A body to which or person to whom this section applies shall give to the Registrar, within such period as the Registrar may reasonably require, any information that the Registrar may reasonably require for the purpose of the Registrar's or the General Council's functions under this Part.
- (3) The matters with respect to which the Registrar may require information under subsection (2) include—
  - (a) the standards and requirements which must be met by persons pursuing postgraduate medical education and training;
  - (b) the procedures for managing that education or training.
- (4) Where a body or person specified in subsection (1) fails to comply with a request under this section, the Registrar shall refer the matter to the General Council with a view to their forming a provisional opinion pursuant to section 34I(5).

### **34O Fees**

- (1) The General Council may make regulations with respect to the charging of fees in connection with—
  - (a) requests to the Registrar for written statements that a person is eligible for inclusion in the General Practitioner Register or the Specialist Register;
  - (b) applications for inclusion in the General Practitioner Register under section 34C(3);
  - (c) applications for inclusion in the Specialist Register under section 34D(4);
  - (d) requests for certificates under section 34G(2);
  - (e) applications for approvals under section 34I(1);
  - (f) applications for CCTs under section 34L(1); and
  - (g) visits made under section 34M.
- (2) Regulations under subsection (1)(b) and (c) may make provision with respect to the charging of fees for the entry of qualifications in the General Practitioner Register or the Specialist Register or on the restoration of entries to those registers.
- (3) Regulations under subsection (1) may provide that a request or application in respect of which a fee is payable is not valid unless the fee is paid.
- (4) Regulations under subsection (1) may provide for the charging of different fees in different cases and may provide that fees shall not be chargeable in cases prescribed by the regulations.]



**Status:**

Point in time view as at 18/11/2016.

**Changes to legislation:**

Medical Act 1983, PART 4A is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.