

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the regulation of anaesthesia associates and physician associates (“associates”) by the General Medical Council (“the Regulator”).

Article 3 requires the Regulator to set standards in relation to education, training and registration of associates. It enables the Regulator to set other standards. It also provides for consultation and review in that respect. Article 4 enables the Regulator to give approvals in relation to education and training of associates; to attach conditions to such approvals and to withdraw them.

Articles 5 and 6 provide for the Regulator’s Registrar to register associates and to maintain the register. Article 7 requires the Regulator to periodically assess whether a registrant continues to meet the standards set under article 3. Article 8 allows for conditions to be imposed on associates’ registration; and article 9 provides for the removal of entries in the register.

Articles 10 to 14 provide for fitness to practise proceedings. Article 10 enables case examiners and Panels to impose Final Measures and issue warnings. Article 11 enables Panels to impose Interim Measures and for a court to extend the period of such Measures. “Interim Measure” and “Final Measure” are defined in article 2: they allow for conditions, suspension or, in the case of a Final Measure, removal from the register. Article 12 provides for the review of Interim Measures. Article 13 places a duty on a case examiner or Panel to specify how long a Final Measure will remain in force, which cannot exceed 12 months. Article 14 allows the Regulator to review a Final Measure which remains in force and sets out the Regulator’s review powers.

Article 15 enables the Regulator to revise decisions under the Order on the ground of error of fact or law or, except in relation to fitness to practise proceedings, where there has been a material change of circumstances since it was made. Article 16 enables decisions of the regulator under the Order to be appealed to a panel; article 17 allows for specified Panel decisions to be appealed to a court.

Article 18 provides for the making of representations by persons applying for the approval of education etc. and by associates before Interim Measures and Final Measures are imposed or specified other decisions are made.

Article 19 creates offences.

Schedule 1 makes provision as to the Regulator, in particular as to appointments, delegation, how it is to exercise its functions, default powers of the Privy Council, incidental powers and the making of grants to the Regulator. Schedule 2 contains the list of offences for the purposes of automatic removal pursuant to article 9(1)(c). Schedule 3 provides for evidence gathering, notifications, publication and data processing under this Order. Schedule 4 provides rule making powers. Schedule 5 makes amendments consequential on the provisions in this Order.