



National Health Service (Scotland) Act 1978

1978 CHAPTER 29

PART II

PROVISION OF SERVICES

General medical services

22 Regulations as to section 21.

- (1) Regulations may for the purposes of section 21 provide—
- (a) for prescribing the medical experience needed to satisfy paragraph (a) of section 21(2);
 - (b) as to the documents which an applicant may or must produce as evidence that he is suitably experienced or has acquired medical experience of any particular kind;
 - (c) for requiring an applicant who claims to have acquired the prescribed experience to submit particulars of his experience to a prescribed body, and for requiring that body, if satisfied that he has acquired the prescribed experience, to issue him a certificate (a “certificate of prescribed experience”) to that effect;
 - (d) for enabling an applicant without the prescribed experience who considers that the medical experience which he has acquired is, or ought to be regarded as, equivalent to the prescribed experience to submit particulars of that experience to a prescribed body, and for requiring or enabling that body, if satisfied that the applicant’s medical experience is so equivalent, to issue him a certificate (a “certificate of equivalent experience”) to that effect;
 - (e) for treating an applicant who holds a certificate of equivalent experience as satisfying paragraph (a) of section 21(2);

Status: Point in time view as at 02/03/1991. This version of this provision has been superseded.

Changes to legislation: National Health Service (Scotland) Act 1978, Section 22 is up to date with all changes known to be in force on or before 04 August 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)

- (f) as to the circumstances or conditions in or subject to which a medical practitioner is exempt from the need to have acquired the prescribed experience;
- (g) for conferring on an applicant who is refused a certificate of prescribed experience or a certificate of equivalent experience a right of appeal to a body constituted by the Secretary of State, and for any matter for which it appears to the Secretary of State to be requisite or expedient to provide in consequence of the conferring of that right;
- (h) for anything authorised or required by section 21 to be prescribed or otherwise provided for by regulations.

In this section—

“applicant” means a medical practitioner who has made or proposes to make an application to which paragraph (a) of section 21(1) applies;

“the prescribed experience” means the medical experience for the time being prescribed for the purposes of paragraph (a) of section 21(2).

- (2) Regulations under this section shall be framed so as to allow the prescribed experience to be acquired without undertaking whole-time employment.
- (3) Any power under this section to make regulations—
 - (a) may be exercised so as to make different provision for different areas or different periods of time or in relation to different cases or different circumstances;
 - (b) includes power to make such incidental or supplemental provision in the regulations as the Secretary of State considers appropriate.

Subordinate Legislation Made

P1 S. 22: s. 105(7) (with ss. 22 and 108(1)) power exercised by [S.I. 1991/576](#)

P2 S. 22: for previous exercises of this power see Index to Government Orders.

Modifications etc. (not altering text)

C1 S. 22 applied (with modification) (1.4.1998) by [1997 c. 46, s. 11\(5\)\(6\)](#); [S.I. 1998/631, art. 2\(1\)\(a\)](#), [Sch. 1](#)

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