



# Medical Act 1983

## 1983 CHAPTER 54

### PART II

#### MEDICAL EDUCATION AND REGISTRATION: PERSONS QUALIFYING IN THE UNITED KINGDOM AND ELSEWHERE IN THE EEC.

### 3 Registration by virtue of primary United Kingdom or primary European qualifications.

(1) Subject to the provisions of this Act any person [<sup>F1</sup>whose fitness to practise is not impaired and] who—

[<sup>F2</sup>(a) holds one or more primary United Kingdom qualifications and has satisfactorily completed an acceptable programme for provisionally registered doctors; or]

(b) being a national of [<sup>F3</sup>any relevant European State], holds one or more primary European qualifications,

is entitled to be registered under this section as a fully registered medical practitioner.

(2) Any person who—

(a) is not a national of [<sup>F4</sup>a relevant European State]; but

[<sup>F5</sup>(b) is, by virtue of an enforceable Community right, entitled to be treated, for the purposes of access to and pursuit of the medical profession, no less favourably than a national of a relevant European State,]

shall be treated for the purposes of subsection (1)(b) above as if he were such a national.

<sup>F6</sup>(3) .....

#### Textual Amendments

**F1** Words in s. 3(1) inserted (19.7.2006 for specified purposes, 19.10.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), arts. 1(2)(b)(c)(3), **45**

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- F2** S. 3(1)(a) substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **20**
- F3** Words in s. 3(1)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **4(a)**
- F4** Words in s. 3(2)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **4(b)(i)**
- F5** S. 3(2)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **4(b)(ii)**
- F6** S. 3(3) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **4(c)**

#### 4 **Qualifying examinations and primary United Kingdom qualifications.**

- (1) Subject to the provisions of this Part of this Act, a qualifying examination for the purposes of this Part of this Act is an examination held by any of the bodies or combinations of bodies specified in subsection (2) below for the purpose of granting one or more primary United Kingdom qualifications.
- (2) The bodies and combinations of bodies entitled to hold qualifying examinations are—
  - (a) any of the Universities of Oxford, Cambridge, London, Manchester, Birmingham, Liverpool, Leeds, Sheffield, Newcastle, Bristol, Nottingham, Southampton, Leicester, Wales, Glasgow, Aberdeen, Edinburgh, Dundee or the
    - [<sup>F7</sup>(aa) a combination of the University of Leicester and the University of Warwick;]
    - [<sup>F8</sup>(ab) the University of Warwick;
    - (ac) Cardiff University;
    - (ad) the University of East Anglia;
    - (ae) a combination of the University of Exeter and the University of Plymouth;]
    - [<sup>F9</sup>(af) the Imperial College of Science, Technology and Medicine;
    - (ag) a combination of the University of Brighton and the University of Sussex;
    - (ah) a combination of the University of Hull and the University of York;]
    - (b) a combination of the Royal College of Physicians of London and the Royal College of Surgeons of England;
    - (c) a combination of the Royal College of Physicians of Edinburgh and the Royal College of Surgeons of Edinburgh and the Royal College of Physicians and Surgeons of Glasgow;
    - (d) the Society of Apothecaries of London;
    - (e) with the approval and under the directions of the Education Committee, a combination of any two or more of the bodies specified in paragraphs (b), (c) and (d) above.
- (3) In this Act “primary United Kingdom qualification” means any of the following qualifications, namely—
  - (a) the degree of bachelor of medicine or bachelor of surgery granted by any university in the United Kingdom;
  - (b) licentiate of the Royal College of Physicians of London [<sup>F10</sup>or the Royal College of Surgeons of England] or the Royal College of Physicians of Edinburgh or the Royal College of Surgeons of Edinburgh or the Royal College (formerly Royal Faculty) of Physicians and Surgeons of Glasgow;

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- (c) membership of the Royal College of Surgeons of England [<sup>F10</sup>granted before the coming into force of section 1 of the Medical Qualifications (Amendment) Act 1991];
  - (d) licentiate in medicine and surgery of the Society of Apothecaries of London.
- (4) Any two or more of the universities and other bodies specified in subsection (3) above may, with the approval and under the directions of the Education Committee, unite or co-operate in conducting examinations held for the purpose of granting primary United Kingdom qualifications.

<sup>F11</sup>(5) .....

**Textual Amendments**

- F7** S. 4(2)(aa) inserted (3.8.2000) by [S.I. 2000/1841, art. 2](#)
- F8** S. 4(2)(ab)-(ae) inserted (6.6.2007) by [The Medical Act 1983 \(Qualifying Examinations\) Order 2007 \(S.I. 2007/1386\), arts. 1, 2](#)
- F9** S. 4(2)(af)-(ah) inserted (14.5.2008) by [The Medical Act 1983 \(Qualifying Examinations\) Order 2008 \(S.I. 2008/1037\), arts. 1, 2](#)
- F10** Words in s. 4(3)(b) inserted (30.3.1992) by [Medical Qualifications \(Amendment\) Act 1991 \(c. 38, SIF 83:1\), s. 1\(a\); S.I. 1992/804, art. 2](#)  
Words in s. 4(3)(c) inserted (30.3.1992) by [Medical Qualifications \(Amendment\) Act 1991 \(c. 38, SIF 83:1\), s. 1\(b\); S.I. 1992/804, art. 2](#)
- F11** S. 4(5) omitted (18.8.2004) by virtue of [The European Qualifications \(Health and Social Care Professions and Accession of New Member States\) Regulations 2004 \(S.I. 2004/1947\), regs. 1\(2\), 3\(3\)](#)

**5 General functions of the Education Committee in relation to medical education in the United Kingdom.**

- (1) The Education Committee shall have the general function of promoting high standards of medical education and co-ordinating all stages of medical education.
- (2) For the purpose of discharging that function the Education Committee shall—
  - (a) determine the extent of the knowledge and skill which is to be required for the granting of primary United Kingdom qualifications and secure that the instruction given in universities in the United Kingdom to persons studying for such qualifications is sufficient to equip them with knowledge and skill of that extent;
  - (b) determine the standard of proficiency which is to be required from candidates at qualifying examinations and secure the maintenance of that standard; and
  - <sup>F12</sup>(c) discharge their functions under section 10A below in respect of programmes for provisionally registered doctors.]

<sup>F13</sup>(2A) In making the determinations required by <sup>F14</sup>subsection (2)(a) or (b) above or discharging their functions mentioned in subsection (2)(c) above,] the Education Committee shall secure that the requirements of <sup>F15</sup>article 24 of the Directive (basic medical training)] are satisfied.

<sup>F16</sup>(2B) ..... ]

<sup>F17</sup>(3) Determinations of the Education Committee under subsection (2)(a) or (b) above shall be published in such manner as they see fit.

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(3A) Such determinations—

- (a) are binding on universities or other bodies concerned with medical education as regards the matters to which they relate; and
- (b) accordingly, those universities or other bodies must act in accordance with them as regards the matters to which they relate.]

(4) In this Act—

[<sup>F18</sup>“the Directive” means Directive 2005/36/EC of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications (OJ No. L255, 30.09.2005, p.22), and any reference in this Act to the Directive or to any provision of the Directive is a reference to the Directive, or to that provision of the Directive, as amended from time to time;]

“the prescribed knowledge and skill” means knowledge and skill of the extent for the time being determined under subsection (2)(a) above and [<sup>F19</sup>set out in determinations published] under subsection (3) above;

“the prescribed standard of proficiency” means the standard of proficiency for the time being determined under subsection (2)(b) above and [<sup>F20</sup>set out in determinations published] under subsection (3) above;

<sup>F21</sup>  
 .....

**Textual Amendments**

- F12** S. 5(2)(c) substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(a)**
- F13** S. 5(2A)(2B) inserted (10.7.1996) by [S.I. 1996/1591](#), **reg. 3(2)**
- F14** Words in s. 5(2A) substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(b)**
- F15** Words in s. 5(2A) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **5(a)**
- F16** S. 5(2B) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **5(b)**
- F17** S. 5(3)(3A) substituted for s. 5(3) (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(c)**
- F18** Words in s. 5(4) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **5(e)**
- F19** Words in s. 5(4) substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(d)(i)**
- F20** Words in s. 5(4) omitted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by virtue of [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(d)(ii)**
- F21** Words in s. 5(4) omitted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by virtue of [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **21(d)(iii)**

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## **6 Further powers of the Education Committee.**

- (1) A university or other body in the United Kingdom granting any primary United Kingdom qualification or any additional qualification for the time being registrable under section 16 below shall from time to time, when so required by the Education Committee, furnish the Committee with such information as the Committee may require as to—
  - (a) the courses of study and examinations to be gone through in order to obtain the qualification;
  - (b) the ages at which such courses of study and examinations are required to be gone through;
  - (c) the age at which the qualification is granted; and
  - (d) generally the requisites for obtaining the qualification.
- (2) For the purpose of securing the maintenance of the prescribed standard of proficiency the Education Committee may appoint such number of inspectors as they may determine, and the inspectors shall attend, as the Committee may direct, all or any of the qualifying examinations held by any university or other body specified in section 4(3) above.
- (3) Any person deputed for the purpose by the Education Committee may attend and be present at any examination held in the United Kingdom which has to be gone through in order to obtain a primary United Kingdom qualification or any additional qualification for the time being registrable under section 16 below.
- (4) Inspectors appointed under subsection (2) above shall not interfere with the conduct of any examination, but it shall be their duty to report to the Education Committee their opinion as to the sufficiency of every examination which they attend, and any other matters relating to such examinations which the Committee may require them to report.
- (5) The Education Committee shall forward a copy of every report of the inspectors to the body or each of the bodies who held the examination to which the report relates and shall also forward a copy of the report, together with any observations on it made by the said body or bodies, to the Privy Council.

## **7 Power to appoint visitors of medical schools.**

- (1) The Education Committee may appoint persons to visit, subject to any directions which the Privy Council may deem it expedient to give and to compliance with any conditions specified in any such directions, places where instruction is given to medical students under the direction of any university or other body specified in section 4(3) above.
- (2) It shall be the duty of visitors appointed under subsection (1) above to report to the Education Committee as to the sufficiency of the instruction given in the places which they visit and as to any other matters relating to the instruction which may be specified by the Committee either generally or in any particular case; but no visitor shall interfere with the giving of any instruction.
- (3) On the receipt of any report of a visitor under subsection (2) above the Education Committee shall send a copy of the report to the university or other body under whose direction the instruction is given, and on the receipt of the copy that body may, within such period of not less than one month as the Committee may have specified at the

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time they sent the copy of the report, make to the Committee observations on the report or objections to it.

- (4) As soon as may be after the expiration of the period specified under subsection (3) above the Education Committee shall send a copy of the report and of any observations on it or objections to it duly made, together with the Committee's comments on the report and on any such observations or objections, to the Privy Council.

## 8 Power to add further qualifying examinations.

- (1) If it appears to the Education Committee that the standard of proficiency required from candidates at examinations held or to be held by [<sup>F22</sup>any university or other body, or any combination of bodies (including universities),] in the United Kingdom for the purpose of granting one or more primary United Kingdom qualifications does or will conform to the prescribed standard of proficiency, the Committee may represent to the Privy Council that it is expedient that those examinations should become qualifying examinations for the purposes of this Part of this Act.
- (2) Her Majesty may by Order in Council give effect to any representations made to the Privy Council under subsection (1) above, and any such Order may make such amendments in section 4(2) above as are necessary for giving effect to the Order.

### Textual Amendments

- F22** Words in s. 8(1) substituted (19.7.2006 for specified purposes, 13.6.2007 in so far as not already in force as notified in the London Gazette dated 18.5.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), 22

## 9 Powers of Privy Council where standards not maintained.

- (1) If at any time it appears to the Education Committee that the course of study and examinations to be gone through in order to obtain a primary United Kingdom qualification are not such as to equip persons going through the course and examinations with the prescribed knowledge and skill, the Committee may make representations to that effect to the Privy Council.
- (2) On any representations under subsection (1) above the Privy Council may, if they see fit, order that a qualification granted, after such time as may be specified in the order, in pursuance of the course of study and examinations to which the order relates shall not be a qualification registrable under section 16 below.
- (3) Where an order is made under subsection (2) above, no person shall be entitled to be registered under this Part of this Act by virtue of any qualification specified in the order and granted after such time as may be so specified.
- (4) If at any time it appears to the Education Committee that the standard of proficiency required from candidates at any qualifying examination does not conform to the prescribed standard of proficiency, the Committee shall make representations to that effect to the Privy Council.
- (5) Where representations are made under subsection (4) above the Privy Council, if they think fit, after considering the representations and any objections to them made by any university or other body to which they relate, may by order declare that the

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examinations held by that university or body shall be deemed not to be qualifying examinations for the purposes of this Part of this Act.

- (6) A qualification granted on the passing of an examination to which an order under subsection (5) above relates, and granted while the order is in force, shall not entitle the holder of the qualification to be registered under this Part of this Act.
- (7) An order under this section—
- (a) if made under subsection (2) above, may be revoked by Her Majesty with the advice of the Privy Council if it is made to appear to Her Majesty, upon further representations from the Education Committee or otherwise, that the university or other body to which the order relates has made effectual provision, to the satisfaction of the Committee, for the improvement of the course of study or examinations to which the order relates or the mode of conducting those examinations;
  - (b) if made under subsection (5) above, may be revoked by Her Majesty with the advice of the Privy Council if upon further representation from the Education Committee or from any university or other body to which the order relates it seems to Her Majesty expedient so to do;

but the revocation of an order made under subsection (2) above shall not entitle any person to be registered by virtue of a qualification granted before the revocation.

<sup>F23</sup> **10 Experience required for full registration by virtue of primary United Kingdom qualifications.**

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**Textual Amendments**

- F23** S. 10 repealed (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **23** (with transitional provisions in [S.I. 2007/1886](#), arts. 1(1), 2)

<sup>F24</sup> **10A Programmes for provisionally registered doctors**

- (1) For the purposes of this Act, “acceptable programme for provisionally registered doctors” means a programme that is for the time being recognised by the Education Committee as providing a provisionally registered person with an acceptable foundation for future practice as a fully registered medical practitioner.
- (2) In connection with recognising programmes for provisionally registered doctors as mentioned in subsection (1) above, the Education Committee may determine—
  - (a) the duration of a programme for provisionally registered doctors, subject to any provision made in an order under subsection (3);
  - (b) the bodies that may provide, arrange for the provision of or be responsible for programmes for provisionally registered doctors and (where different) the bodies by whom a person is to be employed or engaged while he is participating in a programme for provisionally registered doctors;
  - (c) the content and standard of programmes for provisionally registered doctors;

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- (d) activities which a person is, or is not, to engage in as part of or while participating in a programme for provisionally registered doctors;
  - (e) the arrangements for certification that a person has satisfactorily completed a programme for provisionally registered doctors, including—
    - (i) determining the bodies that may certify that a person has satisfactorily completed a programme for provisionally registered doctors,
    - (ii) determining assessment arrangements and the standards required for certification, and
    - (iii) determining the form of the certificate of experience to be awarded on satisfactory completion of a programme for provisionally registered doctors; and
  - (f) arrangements for a person with a disability not to be disadvantaged unfairly by the disability when participating in a programme for provisionally registered doctors.
- (3) The Privy Council may by order prescribe a minimum and a maximum period for the duration of a programme for provisionally registered doctors, and may prescribe different periods for different programmes.
- (4) Determinations of the Education Committee under subsection (2) above shall be published in such manner as they see fit.
- (5) Such determinations—
- (a) are binding on bodies concerned with programmes for provisionally registered doctors as regards the matters to which they relate; and
  - (b) accordingly, those bodies must act in accordance with them as regards the matters to which they relate.
- (6) The Privy Council—
- (a) except where acting in accordance with a proposal made by the Education Committee, shall consult the Education Committee before making, varying or revoking any order under subsection (3) above; and
  - (b) shall, when making, varying or revoking any order under subsection (3) above, act in a manner which is consistent with the requirements of [F25 article 24 of the Directive (basic medical training)].
- (7) For the purpose of—
- (a) determining whether any programme for provisionally registered doctors should for the time being be recognised; or
  - (b) making any determination in connection with a body mentioned in subsection (2),
- the Education Committee may appoint persons to consider programmes for provisionally registered doctors, to visit the bodies mentioned in subsection (2) and to report to the Education Committee on those programmes and those bodies.
- (8) If the Education Committee have formed the provisional opinion—
- (a) that a programme for provisionally registered doctors that has been recognised by them should no longer be recognised by them, they shall notify that opinion in writing to any body, mentioned in subsection (2), that is connected with that programme and shall allow that body a reasonable opportunity to respond before determining whether or not to end their recognition of that programme; or



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- (b) that a determination under subsection (2)(b) or (e)(i) should be revoked, they shall notify that opinion in writing to the body in respect of whom the determination was made and shall allow that body a reasonable opportunity to respond before determining whether or not to revoke that determination.]

**Textual Amendments**

- F24** S. 10A inserted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **24**
- F25** Words in s. 10A(6)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **6**

**F26 11 Provisions supplementary to s. 10, etc.**

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**Textual Amendments**

- F26** S. 11 repealed (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **23**

**F27 12 Special provisions as to employment in health centres.**

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**Textual Amendments**

- F27** S. 12 repealed (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **23**

**F28 13 Power to appoint visitors of approved hospitals.**

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**Textual Amendments**

- F28** S. 13 repealed (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **23**

**14 Alternative requirements as to experience in certain cases.**

[<sup>F29</sup>(1) On an application made to them by a person to whom this section applies, the General Council may direct that, as an alternative to the satisfactory completion of an acceptable programme for provisionally registered doctors, it shall be sufficient for the applicant to satisfy the General Council that, in the course of or as an adjunct to

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practice in the United Kingdom or elsewhere, he has undergone medical training and acquired clinical experience, over a period acceptable to the General Council, which has provided him with a foundation for future practice as a fully registered medical practitioner which is at least as good as the foundation provided by an acceptable programme for provisionally registered doctors.]

- (2) This section applies to any person who claims registration under section 3 above and—
- (a) claims such registration by virtue of a qualification granted before 1st January 1953; or
  - (b) is the holder of a primary United Kingdom qualification and also of a qualification granted outside the United Kingdom which is recognised by the General Council for the purposes of this section as furnishing a sufficient guarantee of the possession of knowledge and skill corresponding with the prescribed knowledge and skill.

[<sup>F30</sup>(3) In giving directions under subsection (1) above in the case of applicants falling within paragraph (b) of subsection (2) above, the General Council shall have regard to the requirements of [<sup>F31</sup>article 24 of the Directive (basic medical training)].]

#### Textual Amendments

- F29** S. 14(1) substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), 25
- F30** S. 14(3) inserted (10.7.1996) by [S.I. 1996/1591](#), reg. 7, **Sch. 2 para. 5**
- F31** Words in s. 14(3) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), 7

#### [<sup>F32</sup>14A Full registration of EEA nationals etc without certain acquired rights certificates

- (1) A person who is a national of a relevant European State—
- (a) whose case falls within regulation 3(9)(a) of the General Systems Regulations,
  - (b) to whom regulations 20 to 26 of those Regulations apply by reason of the operation of regulation 3(4) of those Regulations,
  - (c) who is permitted to pursue the profession of medical practitioner in the United Kingdom by virtue of Part 3 of those Regulations (having, in particular, successfully completed any adaptation period, or passed any aptitude test, that he may be required to undertake pursuant to that Part of those Regulations), and
  - (d) whose fitness to practise is not impaired,

is entitled to be registered under this section as a fully registered medical practitioner.

- (2) Any person who—
- (a) is not a national of a relevant European State; but
  - (b) is, by virtue of any enforceable Community right, entitled to be treated, for the purposes of access to the medical profession, no less favourably than a national of such a State,
- shall be treated for the purposes of subsection (1) as if he were such a national.]

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### Textual Amendments

**F32** S. 14A inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **8**

### [<sup>F33</sup>15 Provisional registration.

- (1) This section shall have effect for enabling persons wishing to complete an acceptable programme for provisionally registered doctors to participate in such a programme.
- (2) A person shall be entitled to be registered provisionally under this section if—
  - (a) he has not satisfactorily completed an acceptable programme for provisionally registered doctors; but
  - (b) apart from that he would be entitled to be registered under section 3 above.
- (3) A person provisionally registered under this section shall be deemed to be registered under section 3 above as a fully registered medical practitioner so far as is necessary to enable him to participate in an acceptable programme for provisionally registered doctors but not further.]

### Textual Amendments

**F33** S. 15 substituted (19.7.2006 for specified purposes, 1.8.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **26**

### [<sup>F34</sup>15A Provisional registration for EEA nationals [<sup>F35</sup> etc]

- (1) This section shall have effect for enabling a national of [<sup>F36</sup>a relevant European State] to be employed for the purpose of enabling him to acquire the clinical experience under appropriate supervision which he needs in order to obtain a primary European qualification.
- (2) A national of [<sup>F37</sup>a relevant European State] who, but for the acquisition of suitable clinical experience, has completed the training required for a primary European qualification, shall be entitled to be registered provisionally under this section [<sup>F38</sup>if his fitness to practise is not impaired].
- (3) Any person who—
  - (a) is not a national of [<sup>F39</sup>a relevant European State]; but
  - (b) is, by virtue of [<sup>F40</sup>any enforceable Community right], entitled to be treated, for the purposes of access to and the practice of the medical profession, no less favourably than a national of such a State,
 shall be treated for the purposes of subsections (1) and (2) as if he were such a national.
- (4) Subsection (3) of section 15 above shall apply for the purposes of this section as it applies for the purposes of that.
- (5) For the purposes of subsection (2), a person has completed the training required for a primary European qualification, but for the acquisition of suitable clinical experience, where he has obtained a medical degree which guarantees that he has fulfilled the

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requirements of [<sup>F41</sup>paragraph 3(a), (b) and (c) of article 24 of the Directive (basic medical training)].]

#### Textual Amendments

- F34** S. 15A inserted (4.12.2000) by [S.I. 2000/3041, reg. 3](#)
- F35** Word in s. 15A heading inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\), regs. 1\(2\), 9\(a\)](#)
- F36** Words in s. 15A(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\), regs. 1\(2\), 9\(b\)](#)
- F37** Words in s. 15A(2) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\), regs. 1\(2\), 9\(b\)](#)
- F38** Words in s. 15A(2) added (19.7.2006 for specified purposes, 19.10.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\), arts. 1\(2\)\(b\)\(c\)\(3\), 46](#)
- F39** Words in s. 15A(3)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\), regs. 1\(2\), 9\(b\)](#)
- F40** Words in s. 15A(3)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\), regs. 1\(2\), 9\(c\)](#)
- F41** Words in s. 15A(5) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\), regs. 1\(2\), 9\(d\)](#)

## 16 Registration of qualifications.

- (1) A person registered under [<sup>F42</sup>section 3, [<sup>F43</sup>14A,] 15 or 15A] above [<sup>F44</sup>or 18A below] shall be entitled to have registered [<sup>F45</sup>any primary United Kingdom] qualification or qualifications or primary European qualification or qualifications which he holds when he is so registered and also—
  - (a) any other primary United Kingdom qualification or qualification specified in [<sup>F46</sup>Annex V, point 5.1.1 of the Directive (evidence of formal qualifications in basic medical training)] which he obtains after registration;
  - (b) subject to subsection (3) below, any additional qualification which the Education Committee determine ought to be registrable by virtue of this paragraph which he holds when he is registered or obtains thereafter;
  - (c) any [<sup>F47</sup>. . . qualification which is for the time being registrable by virtue of section 26(1)(b) below which he holds when he is registered or obtains thereafter.
- (2) In this Act “additional qualification” means any qualification granted in [<sup>F48</sup>a relevant European State] other than a primary United Kingdom qualification or a qualification specified in [<sup>F49</sup>Annex V, point 5.1.1 of the Directive (evidence of formal qualifications in basic medical training)].
- (3) If the Education Committee determine that any such qualification as is mentioned in paragraph (b) of subsection (1) above ought not to be registrable by virtue of that paragraph if granted before or after a particular date, a person holding that qualification shall not be entitled to have it registered if it was granted to him before or, as the case may be, after that date.

#### Textual Amendments

- F42** Words in s. 16(1) substituted (4.12.2000) by [S.I. 2000/3041, reg. 4\(1\)](#)

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- F43** Word in s. 16(1) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **10(a)(i)**
- F44** Words in s. 16(1) inserted (9.7.2008) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(2)(b), **Sch. 1 para. 9**
- F45** Words in s. 16(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **10(a)(ii)**
- F46** Words in s. 16(1)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **10(b)**
- F47** Words in s. 16(1)(c) omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(f), **9(2)** (with transitional provisions in Sch. 2)
- F48** Words in s. 16(2) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **10(c)**
- F49** Words in s. 16(2) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **10(b)**

**[<sup>F50</sup>17 Primary qualifications obtained in other [<sup>F51</sup>relevant European States].**

(1) A primary European qualification for the purposes of this Part of this Act is any of the following obtained in [<sup>F52</sup>a relevant European State] other than the United Kingdom, namely—

- [<sup>F53</sup>(a) a qualification listed in Annex V, point 5.1.1 of the Directive which was obtained in a relevant European State on or after the reference date and is not evidence of training commenced by the holder before that date, provided that that qualification is accompanied, where appropriate, by the certificate listed in relation to that State in the column of Annex V, point 5.1.1 of the Directive entitled “Certificate accompanying the qualifications”;
- (b) subject to compliance with subsection (2) below, a qualification listed in Annex V, point 5.1.1 of the Directive, which was obtained before the reference date, or on or after that date where training of which it is evidence was commenced by the holder before that date;
- (ba) subject to compliance with subsection (2A) below, a qualification not listed in Annex V, point 5.1.1 of the Directive, which was obtained on or after the reference date and is not evidence of training commenced by the holder before that date;
- (c) subject to compliance with subsection (3) below, a qualification not listed in Annex V, point 5.1.1 of the Directive, which was obtained before the reference date, or on or after that date where training of which it is evidence was commenced by the holder before that date;]
- (d) subject to compliance with subsection (4) below, a qualification which is evidence of training commenced before 3rd October 1990 and undertaken on the territory of the former German Democratic Republic.
- [ subject to compliance with subsection (4A) below, a qualification which—
- <sup>F54</sup>(e)
  - (i) is evidence of training commenced before the date specified in column (a) of the table in that subsection and undertaken on the territory specified in the corresponding entry in column (b) of that table, or
  - (ii) was awarded by [<sup>F55</sup>the former state] specified in column (b) of the table in that subsection before the date specified in the corresponding entry in column (a).]

[<sup>F56</sup>(2) For compliance with this subsection in the case of any qualification, either—

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- (a) evidence of the qualification must be—
    - (i) such that the Registrar is satisfied (by means of a certificate of a competent authority of the relevant European State in which it was obtained or otherwise) that it accords with the standards laid down by article 24 of the Directive (basic medical training), and
    - (ii) accompanied, where appropriate, by the certificate listed in relation to the State in which the qualification was obtained in the column of Annex V, point 5.1.1 of the Directive entitled “Certificate accompanying the qualifications”; or
  - (b) evidence of the qualification must be accompanied by a certificate of a competent authority of any relevant European State that the holder has effectively and lawfully been engaged in medical practice in that State for at least three consecutive years during the five years preceding the date of the certificate.
- (2A) For compliance with this subsection in the case of any qualification, evidence of it must be accompanied by a certificate of a competent authority of the relevant European State in which it was obtained to the effect that—
- (a) it is evidence of training which satisfies the requirements of article 24 of the Directive; and
  - (b) it is treated by that State as if it were a qualification listed in relation to that State in Annex V, point 5.1.1 of the Directive.
- (3) For compliance with this subsection in the case of any qualification, evidence of it must be accompanied by a certificate such as is described in—
- (a) subsection (2)(b); or
  - (b) subsection (2A).]
- (4) For compliance with this subsection in the case of any qualification—
- (a) it must be such that the Registrar is satisfied with respect to it (by means of a certificate of [<sup>F57</sup>a competent authority of Germany] or otherwise) that the holder is entitled by virtue of it to engage in medical practice throughout the territory of Germany on the same conditions as the holder of a German qualification listed in [<sup>F58</sup>Annex V, point 5.1.1 of the Directive]; and
  - (b) evidence of it must be accompanied by a certificate of [<sup>F59</sup>a competent authority of Germany] that the holder has effectively and lawfully been engaged in actual medical practice in Germany for at least 3 consecutive years during the 5 years preceding the date of the certificate.
- [ For compliance with this subsection in the case of any qualification—
- <sup>F60</sup>(4A) (a) it must be such that the Registrar is satisfied with respect to it (by means of a certificate from [<sup>F61</sup>a competent authority of the relevant European State] specified in the appropriate row of column (c) of the table below) that that qualification has, on its territory, the same legal validity as regards access to and practice of the medical profession as the qualification listed in relation to that State in [<sup>F62</sup>Annex V, point 5.1.1 of the Directive]; and
- (b) evidence of it must be accompanied by a certificate from [<sup>F63</sup>a competent authority of that State] stating that the holder has effectively and lawfully been engaged in the activity in question on the territory of that State for at least 3 consecutive years during the 5 years preceding the date of issue of that certificate.

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<i>Column (a)</i>	<i>Column (b)</i>	<i>Column (c)</i>
1st January 1993	Former Czechoslovakia	Czech Republic
1st January 1993	Former Czechoslovakia	Slovakia
20th August 1991	Former Soviet Union	Estonia
21st August 1991	Former Soviet Union	Latvia
11th March 1990	Former Soviet Union	Lithuania
25th June 1991	[ <sup>F64</sup> Former Yugoslavia]	Slovenia]

<sup>F65</sup>(5) .....

[<sup>F66</sup>(6) In this section, “the reference date”, in relation to a relevant European State, means the date specified in relation to that State in the column entitled “Reference date” in Annex V, point 5.1.1 of the Directive.]]

**Textual Amendments**

- F50** S. 17 substituted (10.7.1996) by S.I. 1996/1591, **reg. 4(1)**
- F51** Words in s. 17 heading substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(2)**
- F52** Words in s. 17(1) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(3)(a)**
- F53** S. 17(1)(a)(b)(ba)(c) substituted for s. 17(1)(a)-(c) (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(3)(b)**
- F54** S. 17(1)(e) inserted (18.8.2004) by [The European Qualifications \(Health and Social Care Professions and Accession of New Member States\) Regulations 2004 \(S.I. 2004/1947\)](#), regs. 1(2), **3(5)(a)**
- F55** Words in s. 17(1)(e)(ii) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(3)(c)**
- F56** S. 17(2)(2A)(3) substituted for s. 17(2)(3) (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(4)**
- F57** Words in s. 17(4)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(5)(b)**
- F58** Words in s. 17(4)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(5)(a)**
- F59** Words in s. 17(4)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(5)(b)**
- F60** S. 17(4A) inserted (18.8.2004) by [The European Qualifications \(Health and Social Care Professions and Accession of New Member States\) Regulations 2004 \(S.I. 2004/1947\)](#), regs. 1(2), **3(5)(b)**
- F61** Words in s. 17(4A)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(6)(a)(i)**
- F62** Words in s. 17(4A)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(6)(a)(ii)**
- F63** Words in s. 17(4A)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(6)(b)**
- F64** Words in s. 17(4A) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(6)(c)**
- F65** S. 17(5) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(7)**

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**F66** S. 17(6) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **11(8)**

**[<sup>F67</sup>18 Visiting medical practitioners from relevant European States**

Schedule 2A to this Act (visiting medical practitioners from relevant European States) shall have effect.]

**Textual Amendments**

**F67** S. 18 substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **12**

**[<sup>F68</sup>18A. Temporary registration with regard to emergencies involving loss of human life or human illness etc.**

- (1) If the Secretary of State advises the Registrar that an emergency has occurred, is occurring or is about to occur and that action should be considered under this section, the Registrar may register under this section—
  - (a) a person as a fully registered medical practitioner, if the Registrar considers that the person is a fit, proper and suitably experienced person to be registered as a fully registered medical practitioner with regard to the emergency; or
  - (b) the persons comprising a specified group of persons as fully registered medical practitioners, if the Registrar considers that the group is comprised of persons who are of a type who may reasonably be considered fit, proper and suitably experienced persons to be registered as fully registered medical practitioners with regard to the emergency.
- (2) The Registrar may register under this section by virtue of subsection (1)(b) all of the persons comprising a specified group of persons without first identifying each person in the group.
- (3) The registration of a person under this section is subject to such conditions as the Registrar may specify, and the Registrar may at any time vary the conditions to which a person's registration under this section is subject (including by adding to the conditions or revoking any conditions).
- (4) The registration of any person registered under this section by virtue of subsection (1)(b) as one of a specified group may be subject to the same conditions as the registration of other members of the group, or it may be subject to different conditions.
- (5) A person's registration under this section shall cease to have effect if revoked by the Registrar, which—
  - (a) the Registrar must do if the Secretary of State advises the Registrar that the circumstances that led the Secretary of State to advise the Registrar as mentioned in subsection (1) no longer exist;
  - (b) the Registrar may do for any other reason at any time, including where the Registrar has grounds for suspecting that the person's fitness to practise may be impaired.
- (6) The registration of a person registered under this section by virtue of subsection (1)(b) as one of a specified group may be revoked without revoking the registration of



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the other members of the group, or it may be revoked by virtue of a decision to revoke the registration of all the members of the group.

- (7) Part 5 of this Act, apart from sections 35, 35A(1) and (4) to (8) and 35B(2) and (3), shall not apply to persons registered under this section.
- (8) If a person breaches any condition to which the person's registration under this section is subject, anything done by the person in breach of that condition is to be treated as not being done by a registered medical practitioner.
- (9) For the purposes of this section, "emergency" means an emergency of the type described in section 19(1)(a) of the Civil Contingencies Act 2004 (meaning of "emergency"), read with subsection (2)(a) and (b) of that section.]

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#### Textual Amendments

**F68** S. 18A inserted (9.7.2008) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(2)(b), **Sch. 1 para. 10**

**Status:**

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**Changes to legislation:**

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