



# Medical Act 1983

## 1983 CHAPTER 54

### PART III

#### REGISTRATION OF PERSONS QUALIFYING OVERSEAS

**[<sup>F1</sup>19 Full registration of EEA nationals etc. by virtue of overseas primary qualifications etc.**

- (1) Where an exempt person satisfies the Registrar—
  - (a) that he holds an acceptable overseas qualification other than a primary European qualification;
  - (b) that he has acquired experience in the practice of medicine, whether in the course of employment in the United Kingdom or in the course of employment outside the United Kingdom, which is not less extensive than that required for a certificate under section 10 above; and
  - (c) that he is of good character,that person shall, if the General Council think fit so to direct, be registered under this section as a fully registered medical practitioner.
- (2) In this Act “exempt person” means a person who—
  - (a) is a national of an EEA State other than the United Kingdom;
  - (b) is a national of the United Kingdom who is exercising an enforceable Community right; or
  - (c) is not a national of an EEA State, but is, by virtue of a right conferred by article 11 of Regulation (EEC) No 1612/68, or any other 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.
- (3) In determining an application by any person for registration under this section, the General Council shall take into account—
  - (a) if the applicant holds a qualification granted outside the European Economic Area which has been accepted by another EEA State as qualifying him

*Status: Point in time view as at 30/09/2005.*

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to practise as a medical practitioner in that State, the acceptance of the qualification; and

- (b) all medical qualifications, knowledge or experience, wherever acquired, which are relevant to the determination of his application.

- (4) Subsection (4) of section 10 above shall apply to a person prevented from embarking on, or completing, a period of experience required for the purposes of this section as it applies to a person prevented from embarking on, or completing, a period of experience required for the purposes of that section.]

**Textual Amendments**

**F1** S. 19 substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), [arts. 1\(2\)\(d\), {6\(2\)}](#) (with transitional provisions in [Sch. 2](#))

**20 Experience required for full registration by virtue of recognised overseas qualifications.**

**F2** .....

**Textual Amendments**

**F2** S. 20 omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), [arts. 1\(2\)\(d\), 6\(3\)](#) (with transitional provisions in [Sch. 2](#))

**21 Provisional registration.**

- (1) The following provisions shall have effect for enabling persons wishing to satisfy the General Council of the matters specified in [<sup>F3</sup>section 19(1)(b)] above to be employed as mentioned in section 10(2) above.

- (2) A person who satisfies the Registrar of the matters specified in paragraphs (a)<sup>F4</sup>. . . and (c) of section 19(1) above may apply to the General Council to be registered provisionally under this section and, if the Council think fit so to direct, that person shall be so registered.

[<sup>F5</sup>(2A) Subsection (3) of section 19 above applies in relation to an application for registration under this section as it applies in relation to an application for registration under that section.]

- (3) A person provisionally registered under this section shall be deemed to be registered under section 19 above as a fully registered medical practitioner so far as is necessary to enable him to be engaged in employment in a resident medical capacity (within the meaning of section 11 above) in one or more [<sup>F6</sup>approved hospitals, approved institutions or approved medical practices] (within the meaning of that section) but not further.

**Textual Amendments**

**F3** Words in s. 21(1) substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), [arts. 1\(2\)\(d\), 6\(4\)\(a\)](#) (with transitional provisions in [Sch. 2](#))

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- F4** Words in s. 21(2) omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(4)(b)** (with transitional provisions in [Sch. 2](#))
- F5** S. 21(2A) substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(4)(c)** (with transitional provisions in [Sch. 2](#))
- F6** Words in s. 21(3) substituted (1.4.1998) by [1997 c. 46](#), s. 41(10), [Sch. 2 Pt. I para. 61\(5\)](#); [S.I. 1998/631](#), art. 2(b), [Sch.](#)

## [<sup>F7</sup>21A Full registration for eligible specialists and qualified general practitioners

- (1) Where a person satisfies the Registrar—
- (a) that he holds an acceptable overseas qualification other than a primary European qualification;
  - (b) that he is an eligible specialist or a qualified general practitioner;
  - (c) that he is of good character; and
  - (d) that he has the necessary knowledge of English or is an exempt person,
- that person shall, if the General Council think fit so to direct, be registered under this section as a fully registered medical practitioner.

[<sup>F8</sup>(2) In subsection (1)(b) above—

“eligible specialist” means a person—

- (a) who—
  - (i) has undertaken specialist medical training or been awarded specialist medical qualifications in a specialty in which the United Kingdom awards a CCT, and
  - (ii) has satisfied the Board that that specialist training or those qualifications, or both when considered together, are equivalent to a CCT in the specialty in question;
- (b) who—
  - (i) has undertaken specialist medical training or been awarded specialist medical qualifications outside the United Kingdom in a specialty in which the United Kingdom does not award a CCT, or
  - (ii) has knowledge of or experience in any medical specialty derived from academic or research work,and has satisfied the Board that these give him a level of knowledge and skill consistent with practice as a consultant in the National Health Service;
- (c) who—
  - (i) has specialist medical qualifications awarded outside the United Kingdom in a specialty in which the United Kingdom awarded a CCST; and
  - (ii) satisfied the former competent authority, or the Board pursuant to transitional arrangements, that those qualifications were equivalent to a CCST; or
- (d) who—
  - (i) has specialist medical qualifications awarded outside the United Kingdom in a specialty in which the United Kingdom did not award a CCST, or

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(ii) has knowledge of or experience in any medical specialty derived from academic or research work,

and has satisfied the former competent authority, or the Board pursuant to transitional arrangements, that these give him a level of knowledge and skill consistent with practice as a consultant in that specialty in the National Health Service; and

“qualified general practitioner” means a person—

(a) who—

(i) has undertaken training in general practice or obtained qualifications in general practice, and

(ii) has satisfied the Board that that training is, or those qualifications are, or both when considered together are equivalent to a CCT in general practice; or

(b) has been awarded a Certificate of Equivalent Experience by the Joint Committee on Postgraduate Training for General Practice, or by the Board pursuant to transitional arrangements.]

[<sup>F8</sup>(3) In this section—

“the Board” means the Postgraduate Medical Education and Training Board;

“CCT” means Certificate of Completion of Training;

“CCST” means Certificate of Completion of Specialist Training;

“the former competent authority” means the Specialist Training Authority of the medical Royal Colleges; and

“transitional arrangements” means arrangements made for a period of time following the transfer of certain functions from the former competent authority to the Board, or from the Joint Committee on Postgraduate Training for General Practice to the Board (as the case may be).]]

#### Textual Amendments

**F7** S. 21A inserted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(5)** (with transitional provisions in [Sch. 2](#))

**F8** S. 21A(2)(3) substituted (30.9.2005 as notified in the London Gazette dated 26.8.2005) by [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2003 \(S.I. 2003/1250\)](#), art. 1(2)(3), [Sch. 9 para. 5](#)

## 22 Limited registration of persons by virtue of overseas qualifications.

(1) Subject to sections 23(5) and 24 below, where a person satisfies the Registrar—

[<sup>F9</sup>(a) that he has been selected for employment in the British Islands of a description approved by the General Council for the purposes of this section;]

(b) that he holds, has held, or has passed the examination necessary for obtaining some acceptable overseas qualification or qualifications;

(c) that he has the necessary knowledge of English [<sup>F10</sup>or is an exempt person <sup>F11</sup> . . . ];

(d) that he is of good character; and

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- (e) that he has the knowledge and skill, and has acquired the experience, which is necessary for practice as a medical practitioner registered under this section and is appropriate in his case,

he shall, if the General Council think fit so to direct, be registered under this section as a medical practitioner with limited registration.

[<sup>F12</sup>(1A) In determining an application by an exempt person for registration under this section, the General Council shall take into account—

- (a) if the applicant holds, has held or has passed the examination necessary for obtaining a qualification granted outside the European Economic Area which has been accepted by another EEA State as qualifying him to practise as a medical practitioner in that State, the acceptance of the qualification; and
- (b) all medical qualifications, knowledge or experience, wherever acquired, which are relevant to the determination of his application.]

(2) In this Act “limited registration” means registration under this section limited in accordance with subsection (5) below in respect of the period for which and the employment for the purposes of which it has effect.

(3) No person shall be registered under this section for a period, or for periods which amount in the aggregate to a period, exceeding five years; and in this Act the “permitted period”, in relation to an applicant for registration under this section, means—

- (a) if he has not previously been registered under this section, five years;
- (b) if he has previously been so registered, the amount by which five years exceeds the period or aggregate of periods for which he has been so registered.

(4) In this Act an “acceptable overseas qualification” means any qualification granted outside the United Kingdom and for the time being accepted by the General Council for the purposes of this section as furnishing a sufficient guarantee of the possession of the knowledge and skill requisite for the practice of medicine under the supervision of a person who is registered as a fully registered medical practitioner.

(5) The limits of a person’s registration under this section shall be defined in the direction by virtue of which he is registered in accordance with the following provisions, that is to say—

- (a) the direction shall specify a period, not exceeding his permitted period, as the period for which his registration is to have effect; and
- (b) the direction shall specify the particular employment or the descriptions of employment for the purposes of which he is registered under this section;

and, subject to subsection (6) below and to section 24(1) and (2) below, that person’s registration shall have effect for the period and for the purposes of the particular employment or the descriptions of employment specified in the direction.

(6) Where a direction specifies a particular employment as the employment for the purposes of which a person is registered under this section and that employment terminates before the end of the period specified in the direction by virtue of subsection (5)(a) above, the registration of the person under this section shall cease to have effect when that employment terminates.

(7) A person registered under this section shall be treated as registered under section 19 above as a fully registered medical practitioner in relation to the following matters, namely—

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- (a) any employment in which he is engaged during the currency of his registration, being the particular employment or employment of a description for the purposes of which he is registered; and
- (b) things done or omitted in the course of that employment; and
- (c) any other thing incidental to his work in that employment which, by virtue of any enactment, may not lawfully or validly be done except by a fully registered medical practitioner;

but in relation to other matters he shall be treated as not so registered.

- (8) A person registered under this section shall not, while engaged in the particular employment or in employment of a description for the purposes of which he is registered, work otherwise than under the supervision of a person who is registered as a fully registered medical practitioner.

#### **Textual Amendments**

- F9** S. 22(1)(a) substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(6)(a)** (with transitional provisions in [Sch. 2](#))
- F10** Words in s. 22(1)(c) inserted (10.7.1996) by [S.I. 1996/1591](#), **reg. 6(5)**
- F11** Words in s. 22(1)(c) omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(6)(b)** (with transitional provisions in [Sch. 2](#))
- F12** S. 22(1A) substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(6)(c)** (with transitional provisions in [Sch. 2](#))

### **23 Limited registration: supplementary provisions.**

- (1) An applicant for limited registration shall specify in his application the particular employment or the descriptions of employment for the purposes of which he wishes to be registered and shall give such other particulars as the General Council may require.
- (2) What knowledge and skill, and what experience, is necessary for practice as a medical practitioner registered under section 22 above shall be determined by the General Council in relation to each branch of medicine and to practice therein in the descriptions of employment for the purposes of which persons apply for registration under that section.
- (3) For the purpose of section 22(1)(e) above, the knowledge and skill, and the experience, which is appropriate in the case of an applicant for registration under that section means, subject to subsections (4) and (5) below, the knowledge and skill, or the experience, determined under this section which appears to the Registrar to be appropriate to the particular employment or the descriptions of employment for which the applicant desires to be registered.
- (4) The General Council may, in the case of any particular application for limited registration, give to the Registrar a direction determining what knowledge and skill, or what experience, determined by the Council under subsection (2) above for the purposes of section 22(1)(e) above is appropriate in the case of the applicant having regard to the particular employment or descriptions of employment for the purposes of which the applicant wishes to be registered or the Council considers they may grant limited registration.
- (5) The General Council may, in the case of any applicant or applicants of any description, give to the Registrar a direction exempting the applicant, or applicants of that

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description, from compliance with the requirements of section 22(1)(e) above as to knowledge and skill, or as to experience, or both.

## 24 Limited registration: erasure.

- (1) The General Council may, on an application being made to them containing such particulars as they may require by a person who is registered with limited registration, direct that his name shall be erased from the register on his own application on such day as they may specify in the direction; but the fact that a person's name has been erased under this subsection shall be disregarded by the Council in deciding whether or not to grant limited registration for a further period to that person.
- (2) If it appears to the General Council, having regard to his performance in a relevant employment, that a person registered under section 22 above does not in fact possess the appropriate knowledge and skill, the Council may, subject to subsection (4) below, if they think fit, direct that his name shall be erased from the register.
- (3) In subsection (2) above, in relation to a person registered under section 22 above—
  - (a) “a relevant employment” means <sup>F13</sup> . . . an employment of a description for the purposes of which he is or has been so registered; and
  - (b) “the appropriate knowledge and skill” means the knowledge and skill which was required in his case in pursuance of subsection (1)(e) of that section in connection with the application for registration under that section by virtue of which he is so registered.
- (4) No person's name shall be erased from the register under subsection (2) above unless—
  - (a) the Registrar has served on him a notification of the grounds on which the Council are considering exercising their powers under that subsection; and
  - (b) the Council have afforded him an opportunity of making representations to them in the matter;

and paragraph 8 of Schedule 4 to this Act shall apply to a notification required to be served by this subsection as it applies to the notifications required to be served by the provisions mentioned in that paragraph.

### Textual Amendments

- F13** Words in s. 24(3)(a) omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(7)** (with transitional provisions in [Sch. 2](#))

## 25 Full registration of persons with limited registration.

A person who is or has been registered with limited registration may, on satisfying the Registrar that he is of good character, apply to the General Council to be registered fully by virtue of this section; and if the Council think fit so to direct, having regard to the knowledge and skill shown and the experience acquired by the applicant, he shall be registered <sup>F14</sup> . . . as a fully registered medical practitioner.

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### Textual Amendments

- F14** Words in s. 25 omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(8)** (with transitional provisions in [Sch. 2](#))

## 26 Registration of qualifications.

- (1) A person registered under section [<sup>F15</sup>19, 21 or 21A] above shall be entitled to have registered the [<sup>F16</sup>acceptable overseas qualification] which he holds when he is so registered and also—
- (a) <sup>F17</sup> .....
  - (b) [<sup>F18</sup>subject to subsection (3) below, any overseas qualification] which the General Council determine ought to be registrable by virtue of this paragraph which he holds when he is registered or obtains thereafter;
  - (c) subject to subsection (3) below, any additional qualification which the General Council determine ought to be registrable by virtue of this paragraph which he holds when he is registered or obtains thereafter; and
  - (d) any primary United Kingdom qualification or primary European qualification which he holds when he is registered or obtains thereafter.
- (2) A person registered with limited registration under section 22 above shall be entitled to have registered the acceptable overseas qualification or qualifications which he holds when he is so registered and, if such a person is subsequently registered under <sup>F19</sup> . . . section 25 above, he shall on being so registered be entitled to have registered, apart from the qualifications mentioned in subsection (1) above, the acceptable overseas qualification or qualifications by virtue of which he was granted limited registration.
- (3) If the General Council determine that any such qualification as is mentioned in paragraph (b) or (c) 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

- F15** Words in s. 26(1) substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(9)(a)(i)** (with transitional provisions in [Sch. 2](#))
- F16** Words in s. 26(1) substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(9)(a)(ii)** (with transitional provisions in [Sch. 2](#))
- F17** S. 26(1)(a) omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(9)(a)(iii)** (with transitional provisions in [Sch. 2](#))
- F18** Words in s. 26(1)(b) substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(9)(a)(iv)** (with transitional provisions in [Sch. 2](#))
- F19** Words in s. 26(2) omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(9)(b)** (with transitional provisions in [Sch. 2](#))

## 27 Temporary full registration for visiting overseas specialists.

- (1) A person who is or intends to be in the United Kingdom temporarily for the purpose of providing medical services of a specialist nature may apply to the General Council to



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be registered temporarily as a fully registered medical practitioner and if the Council are satisfied—

- (a) that he holds one or more <sup>F20</sup> . . . acceptable overseas qualifications;
- (b) that he possesses special knowledge of and skill in a particular branch or branches of medicine; <sup>F21</sup> . . .
- (c) that the medical services he is to provide lie within that branch or one or more of those branches of medicine<sup>F22</sup>; and
- (d) that he is of good character,]

they may, if they think fit, direct that he shall be registered under this section as a fully registered medical practitioner for such period as they may specify in the direction.

- (2) No person shall be fully registered under this section for a period exceeding twelve months.
- (3) At the expiration of the period specified in a direction under subsection (1) above the registration of the person to whom the direction applies shall cease to have effect.

**Textual Amendments**

- F20** Words in s. 27(1)(a) omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(10)(a)** (with transitional provisions in [Sch. 2](#))
- F21** Word in s. 27(1)(b) omitted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(10)(b)** (with transitional provisions in [Sch. 2](#))
- F22** S. 27(1)(d) and preceding word inserted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(d), **6(10)(c)** (with transitional provisions in [Sch. 2](#))

<sup>F23</sup>**28 The Review Board for Overseas Qualified Practitioners.**

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**Textual Amendments**

- F23** S. 28 omitted (1.4.2005 as notified in the London Gazette dated 14.1.2005) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **6(11)** (with [Sch. 2](#))

<sup>F24</sup>**29 Functions of the Review Board.**

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**Textual Amendments**

- F24** S. 29 omitted (1.4.2005 as notified in the London Gazette dated 14.1.2005) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **6(11)** (with [Sch. 2](#))

**Status:**

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