

Status: Point in time view as at 31/12/2020.

Changes to legislation: Medical Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 June 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)

SCHEDULES

SCHEDULE 1

Section 1.

THE GENERAL MEDICAL COUNCIL AND ITS COMMITTEES, AND THE BRANCH COUNCILS

[^{F1}PART 1

CONSTITUTION OF THE GENERAL MEDICAL COUNCIL

Textual Amendments

- F1** Sch. 1 Pt. 1 substituted (1.1.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 21(2)**; S.I. 2008/2556, art. 2(2)(a) (i) (with art. 3)

Membership: general

- 1A. (1) The General Council shall consist of—
- (a) registrant members, that is members who—
 - (i) are fully registered or provisionally registered, and
 - (ii) hold licences to practise; and
 - (b) lay members, that is members who—
 - (i) are not and never have been provisionally registered or fully registered,
 - (ii) were at no time registered with limited registration under section 22 prior to its repeal, and
 - (iii) do not hold qualifications which would entitle them to apply for provisional or full registration under this Act.
- (2) The members of the General Council shall be appointed by the Privy Council.
- (3) The Privy Council shall ensure that, at any time, at least one member of the General Council lives or works wholly or mainly in each of England, Scotland, Wales and Northern Ireland.

^{F2}(4)

Textual Amendments

- F2** Sch. 1 para. 1A(4) omitted (31.10.2012) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 20 para. 6(a)**; S.I. 2012/1831, art. 2(3)

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Modifications etc. (not altering text)

- C1** Sch. 1 para. 1A modified (temp.) (1.1.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(Commencement No. 1\) Order of Council 2008 \(S.I. 2008/2556\)](#), **art. 3**

Matters for the order of the Privy Council under section 1(2)

- 1B. (1) An order under section 1(2) shall include provision with regard to—
- (a) the numbers of registrant members and lay members of the General Council;
 - (b) the terms of office for which members of the General Council are appointed, and the order may provide that these are to be determined by the Privy Council, on appointment;
 - (c) the grounds on which persons are to be disqualified from appointment as registrant or lay members of the General Council;
 - (d) the appointment of a chair of the General Council and the chair's term of office, and the order may provide that the term is to be determined by whoever makes the appointment as chair, on appointment;
 - (e) deputising arrangements in respect of the chair;
 - (f) the quorum of the General Council; and
 - (g) the circumstances in which members cease to hold office or may be removed or suspended from office.
- (2) But an order under section 1(2) must not include any provision which would have the effect that a majority of the members of the General Council would be lay members.
- (3) An order under section 1(2) may include provision with regard to—
- (a) the maximum period for which a member of the General Council may hold office as a member during a specified period;
 - (b) the maximum period for which a member of the General Council may serve as chair of the General Council during a specified period;
 - (c) the education and training of members of the General Council, and the order may provide for the General Council to include the requirements with regard to education and training of their members in standing orders, and for those standing orders to provide for—
 - (i) that education and training to be the responsibility of another body, and
 - (ii) those requirements to be set and varied by that body from time to time;
 - (d) the attendance of members of the General Council at meetings of the General Council;
 - (e) the effect (if any) of any vacancy in the membership of the General Council or any defect in the appointment of a member; and
 - (f) enabling the Privy Council to appoint as the chair of the General Council, for a specified period, the person who held office as president of the General Council on the day before the first order of the Privy Council under section 1(2) comes into force.
- (4) An order under section 1(2) may make different provision for different cases or different classes of case and may contain such incidental, consequential, transitional,

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transitory, saving or supplementary provisions as appear to the Privy Council to be necessary or expedient.

Registration of members' private interests

- 1C. (1) The General Council must maintain a system for the declaration and registration of private interests of their members.
- (2) The General Council must publish in such manner as they see fit entries recorded in the register of members' private interests.]

PART II

INCIDENTAL POWERS AND DUTIES AND PROCEEDINGS OF THE GENERAL MEDICAL COUNCIL

[^{F3}Incidental powers and duties]

Textual Amendments

- F3** Italic heading immediately preceding Sch. 1 para. 9 substituted (17.12.2002) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(a)** (with transitional provisions in Sch. 2)

9 It shall be within the capacity of the General Council as a corporation to do such things and enter into such transactions as are in their opinion incidental or conducive to the performance of their functions under this Act, including the borrowing of money.

- [^{F4}9A (1) In exercising their functions, the General Council shall—
- (a) have proper regard for—
 - (i) the interests of persons using or needing the services of provisionally or fully registered medical practitioners in the United Kingdom, and
 - (ii) any differing interests of different categories of provisionally or fully registered medical practitioners;
 - (b) co-operate, in so far as is appropriate and reasonably practicable, with public bodies or other persons concerned with—
 - (i) the employment (whether or not under a contract of service) of provisionally or fully registered medical practitioners,
 - (ii) the education or training of medical practitioners or other health care professionals,
 - (iii) the regulation of, or the co-ordination of the regulation of, other health or social care professionals,
 - (iv) the regulation of health services, and
 - (v) the provision, supervision or management of health services.
- (2) In carrying out its duty to co-operate under sub-paragraph (1)(b), the General Council shall have regard to any differing considerations relating to practising as a medical practitioner which apply in England, Scotland, Wales or Northern Ireland.

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- (3) In sub-paragraph (1), “other health care professionals” means persons regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002, other than the General Council.]

Textual Amendments

F4 Sch. 1 para. 9A substituted (1.1.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 21(3)**; S.I. 2008/2556, art. 2(2)(a)(i)

- 9B (1) For the purposes of ensuring that registered medical practitioners and the public are informed about the General Council and the exercise by them of their functions, the Council shall publish or provide in such manner as they think fit information about the Council and the exercise of their functions.
- (2) Nothing in sub-paragraph (1) above authorises or requires the publication or provision of information if the publication or provision of that information is—
- (a) prohibited by any enactment or the [F5UK GDPR]; or
 - (b) would constitute or be punishable as a contempt of court.
- (3) In sub-paragraph (2) above “enactment” includes—
- (a) an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament; and
 - (b) any provision of, or any instrument made under, Northern Ireland legislation.

F6(4)

Textual Amendments

F5 Words in Sch. 1 para. 9B(2)(a) substituted (31.12.2020) by [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 3 para. 12(a)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

F6 Sch. 1 para. 9B(4) omitted (31.12.2020) by virtue of [The Data Protection, Privacy and Electronic Communications \(Amendments etc\) \(EU Exit\) Regulations 2019 \(S.I. 2019/419\)](#), reg. 1(2), **Sch. 3 para. 12(b)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

- 10 For the purpose of enabling the General Council to compile or assist in the compilation of statistics relating to medical practice and practitioners the Council may from time to time issue to persons registered under this Act F7... requests for information on matters which in the opinion of the Council are relevant for that purpose.

Textual Amendments

F7 Words in Sch. 1 para. 10 omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 1 para. 31** (with reg. 12A, Sch. 1 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 9); 2020 c. 1, Sch. 5 para. 1(1)

- 11 The General Council may provide facilities for testing the knowledge of English of applicants for registration under [F8section [F921B or 21C]] of this Act.

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Textual Amendments

- F8** Words in Sch. 1 para. 11 substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(f), **9(3)** (with transitional provisions in [Sch. 2](#))
- F9** Words in Sch. 1 para. 11 substituted (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 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **42**

Proceedings of the General Council

^{F10}12

Textual Amendments

- F10** Sch. 1 para. 12 omitted (1.1.2009) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 21(4)**; S.I. 2008/2556, art. 2(2)(a)(i)

^{F11}13

Textual Amendments

- F11** Sch. 1 para. 13 omitted (1.1.2009) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 21(4)**; S.I. 2008/2556, art. 2(2)(a)(i)

14 All acts of the General Council shall be decided by the votes of a majority of the members present at any meeting, and if the votes are equal the person who [^{F12}chairs] the meeting shall, in addition to his vote as a member of the Council, have a casting vote.

Textual Amendments

- F12** Word in Sch. 1 para. 14 substituted (1.1.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 21(5)**; S.I. 2008/2556, art. 2(2)(a)(i)

15 (1) The General Council may by standing order make provision with respect to the meetings and proceedings of and the discharge of their functions by the Council and any committees of the Council, with respect to the composition of committees of the Council and with respect to the functions of the officers of the Council.

[^{F13}(1A) Standing orders of the General Council may make provision with regard to the provisional suspension of a member of the General Council from office, pending the taking of a decision about the suspension or removal from office of the member in accordance with the provisions of an order under section 1(2).]

(2) Any standing order made by the Council under this paragraph may be amended or revoked by a subsequent standing order.

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- (3) [^{F14}Sub-paragraph (1)] does not apply in relation to the statutory committees^{F15} ...
^{F16}... [^{F17}, except in so far as is necessary for enabling standing orders to make provision with regard to the financial affairs of the MPTS or to make provision by virtue of paragraph 19F(9)(c).]

Textual Amendments

- F13** Sch. 1 para. 15(1A) inserted (1.1.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 21(6)(a)**; S.I. 2008/2556, art. 2(2)(a)(i)
- F14** Words in Sch. 1 para. 15(3) substituted (1.1.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 21(6)(b)**; S.I. 2008/2556, art. 2(2)(a)(i)
- F15** Words in Sch. 1 para. 15(3) omitted (1.1.2009) by virtue of [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 5(2)**
- F16** Words in Sch. 1 para. 15(3) omitted (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 virtue of [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **62(a)**
- F17** Words in Sch. 1 para. 15(3) inserted (31.12.2015) 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), **2(5)**; S.I. 2015/1952, art. 2(a)

Officers of the General Council

- 16^{F18}(1A) Standing orders of the General Council may make provision with regard to the appointment of a treasurer of the General Council.]
- (3) The General Council shall appoint a person to be registrar of the Council and may appoint such deputy and assistant registrars of the Council as the Council think fit and where a deputy or assistant registrar is authorised by the Registrar to act for him in any matter, any reference in this Act to the Registrar [^{F19}or in a direction or delegation to him under sub-paragraph (4) below,] shall include a reference to that deputy or assistant where the reference relates to that matter.
- [^{F20}(3A) A deputy or assistant registrar who is authorised in accordance with provision made by virtue of paragraph 19F(7) to act on behalf of the MPTS may not, while so authorised, act for the Registrar in any matter.]
- [^{F21}(4) Subject to paragraph 6 of Schedule 4 to this Act, the Registrar shall, in addition to the functions specifically mentioned in this Act, have such other functions as the General Council may think fit to direct him to perform or delegate to him (whether or not in rules or standing orders).]

Textual Amendments

- F18** Sch. 1 para. 16(1A) substituted for Sch. 1 para. 16(1)(2) (1.1.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 21(7)**; S.I. 2008/2556, art. 2(2)(a)(i)
- F19** Words in Sch. 1 para. 16(3) inserted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(b)(ii)** (with transitional provisions in Sch. 2)
- F20** Sch. 1 para. 16(3A) inserted (31.12.2015) 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), **2(6)**; S.I. 2015/1952, art. 2(a)

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F21 Sch. 1 para. 16(4) inserted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(b)(iii)** (with transitional provisions in Sch. 2)

Financial provisions

[^{F22}17 There shall be paid to the members of the General Council such remuneration and such travelling, subsistence or other expenses as the Council may allow, including payments for duties undertaken as trustees of the Council.]

Textual Amendments

F22 Sch. 1 para. 17 substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(e)** (with transitional provisions in Sch. 2)

- 18 (1) Any fees or other sums payable by virtue of this Act in connection with registration under this Act shall be paid to the General Council, and any expenses of the Council shall be defrayed out of the sums received by the Council either on account of those fees and sums, or from the sale of registers, or otherwise.
- (2) The General Council shall keep proper accounts of all sums received or paid by them, and proper records in relation to those accounts (including records of the evidence furnished by branch councils under paragraph 28 below), and their accounts for each financial year of the Council shall be audited by auditors appointed by the Council.
- (3) No person shall be appointed auditor under this paragraph unless he is eligible for appointment as a [^{F23}statutory auditor under Part 42 of the Companies Act 2006].
- (4) As soon as may be after the accounts of the General Council have been audited, the Council shall cause them to be published and shall send a copy of them to the Privy Council together with a copy of any report of the auditors on them, and the Privy Council shall lay a copy of the accounts and of any report of the auditors on the accounts before each House of Parliament.

Textual Amendments

F23 Words in Sch. 1 para. 18(3) substituted (6.4.2008) by [The Companies Act 2006 \(Consequential Amendments etc\) Order 2008 \(S.I. 2008/948\)](#), art. 2(2), **Sch. 1 para. 1(dd)** (with arts. 6, 11, 12)

PART III

COMMITTEES OF THE GENERAL MEDICAL COUNCIL

F24 ...

Textual Amendments

F24 Sch. 1 para. 19 and cross-heading omitted (1.1.2009) by virtue of [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 5(3)**

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F25 ...

Textual Amendments

F25 Sch. 1 paras. 19A, 19E and cross-headings omitted (31.12.2015) by virtue of [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), **3(2)**; S.I. 2015/1952, art. 2(b)

F25 19A

[^{F26}Registration Panels]

Textual Amendments

F26 Words in Sch. 1 para. 19B heading substituted (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 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **3(1)(b)**

19B Subject to the power of the Panel under paragraph 25 below to co-opt members, a [^{F27}Registration Panel] shall be constituted as provided by rules made under this paragraph by the General Council.

Textual Amendments

F27 Words in Sch. 1 para. 19B substituted (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 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **3(2)(b)**

Registration Appeals Panels

19C Subject to the restrictions on membership specified in paragraph 23 below and to the power of the Panel under paragraph 25 below to co-opt members, a Registration Appeals Panel shall be constituted as provided by rules made under this paragraph by the General Council.

Investigation Committee

19D Subject to the power of the Committee under paragraph 25 below to co-opt members, the Investigation Committee shall be constituted as provided by rules made under this paragraph by the General Council.

F25 ...

F25 19E

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^{F28} Medical Practitioners Tribunal Service

Textual Amendments

F28 Sch. 1 para. 19F inserted (3.8.2015) by [The General Medical Council \(Fitness to Practise and Overarching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **2(4)**; [S.I. 2015/1579](#), art. 2(a)

- 19F. (1) The MPTS are to be constituted as provided by rules made under this paragraph by the General Council.
- (2) Rules under this paragraph must secure that only persons who are not members of the General Council are to be members of the MPTS.
- (3) Rules under this paragraph must include provision with regard to—
- (a) the numbers of registrant members and lay members of the MPTS;
 - (b) (subject to sub-paragraph (6)) the appointment of members of the MPTS and the terms of office for which members are appointed, and the rules may provide that these are to be determined by whoever makes the appointment as member, on appointment;
 - (c) the grounds (in addition to that mentioned in sub-paragraph (2)) on which a person is to be disqualified from appointment as a registrant or lay member of the MPTS;
 - (d) (subject to sub-paragraph (6)) the appointment of a chair of the MPTS and the chair's term of office, and the rules may provide that the term is to be determined by whoever makes the appointment as chair, on appointment;
 - (e) deputising arrangements in respect of the chair;
 - (f) the quorum at meetings of the MPTS;
 - (g) the circumstances in which a member of the MPTS ceases to hold office or may be removed or suspended from office.
- (4) Provision by virtue of sub-paragraph (3)(a) must secure that the registrant members of the MPTS do not form a majority of the members.
- (5) The chair of the MPTS is, by virtue of being appointed as such, an officer of the General Council.
- (6) Where, immediately before the commencement of this paragraph, a committee of the General Council constituted under paragraph 25 have been carrying out functions relating to fitness to practise proceedings, the General Council—
- (a) may appoint as the chair of the MPTS, for such period as the Council may determine, the person who, immediately before the commencement of this paragraph, was the chair of that committee, and
 - (b) may appoint as a member of the MPTS other than the chair, for such period as the Council may determine, a person who, immediately before the commencement of this paragraph, was a member of that committee.
- (7) Rules under this paragraph may include provision for enabling the General Council to direct the MPTS to delegate to the chair of the MPTS, or to such other officer of the Council as the Council determine, such of the functions of the MPTS as the Council determine (and for enabling the MPTS so to delegate).

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- (8) Rules under this paragraph may include provision with regard to criteria which a person must satisfy (whether in relation to qualifications, experience, competencies or other matters) in order to be eligible for appointment as chair or as another member of the MPTS; and the rules may, in particular, require the General Council to set and publish those criteria.
- (9) Rules under this paragraph may include provision with regard to—
- (a) the maximum period for which a member of the MPTS may hold office during a specified period;
 - (b) the maximum period for which a member of the MPTS may serve as chair of the MPTS during a specified period;
 - (c) the education and training of members of the MPTS, and the rules may provide for the General Council to include the requirements with regard to education and training of members of the MPTS in standing orders, and for those standing orders to provide for—
 - (i) the education and training to be the responsibility of another body, and
 - (ii) those requirements to be set and varied by that body from time to time;
 - (d) the attendance of members of the MPTS at meetings of the MPTS;
 - (e) the effect (if any) of any vacancy in the membership of the MPTS or any defect in the appointment of a member.
- (10) The MPTS must maintain a system for the declaration and registration of private interests of their members.
- (11) The MPTS must publish in such manner as they see fit entries recorded in the register of members' private interests.
- (12) In this paragraph, “registrant member” and “lay member” each have the same meaning as in paragraph 1A.
- (13) Rules under this paragraph may make different provision for different cases or different classes of case and may contain such incidental, consequential, transitional, transitory, saving or supplementary provisions as appear to the General Council to be necessary or expedient.]

^{F29}Medical Practitioners Tribunals and Interim Orders Tribunals

Textual Amendments

F29 Sch. 1 para. 19G inserted (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), **3(3)**; [S.I. 2015/1579](#), art. 2(b)

- 19G. (1) Medical Practitioners Tribunals and Interim Orders Tribunals are to be constituted as provided by rules made under this paragraph by the General Council.
- (2) Rules under this paragraph must include provision with regard to—
- (a) the appointment by the MPTS of persons to—
 - (i) a list of persons eligible to serve as the chair of a Medical Practitioners Tribunal or Interim Orders Tribunal;

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- (ii) a list of persons eligible to serve as a registrant member of either such Tribunal;
 - (iii) a list of persons eligible to serve as a lay member of either such Tribunal;
 - (b) the determination by the MPTS of the terms on which a person holds a position on a list referred to in paragraph (a) (a “panel list”) and of the grounds on which the MPTS may suspend or remove a person from holding a position on a panel list;
 - (c) the selection by the MPTS of persons who are on a panel list to serve as the chair and the other members of a Medical Practitioners Tribunal or Interim Orders Tribunal;
 - (d) the quorum for a Medical Practitioners Tribunal or Interim Orders Tribunal.
- (3) A person appointed to a panel list within sub-paragraph (2)(a)(ii) or (iii) may also be appointed to a panel list within sub-paragraph (2)(a)(i).
- (4) Rules under this paragraph must secure that—
 - (a) only a person who is not a member of the General Council, the Investigation Committee, a Registration Panel or a Registration Appeals Panel, or who is not an officer of the General Council, may be appointed to a panel list;
 - (b) a person who serves as a member of an Interim Orders Tribunal, or as a member of a Medical Practitioners Tribunal in arrangements made under section 41A(A1), may not serve as a member of a Medical Practitioners Tribunal in any subsequent proceedings in the case concerned.
- (5) Rules under this paragraph may provide for a person to be appointed to a panel list either generally or only for particular proceedings or a particular class of proceedings.
- (6) Rules under this paragraph must provide that a person appointed to a panel list holds and ceases to hold a position on the list in accordance with the terms of that person’s appointment.
- (7) Rules under this paragraph may include provision with regard to criteria which a person must satisfy (whether in relation to qualifications, experience, competencies or other matters) in order to be eligible for appointment to a panel list or for selection to serve as the chair of a Medical Practitioners Tribunal or Interim Orders Tribunal; and the rules may, in particular, require the MPTS to set and publish those criteria.
- (8) Rules under this paragraph may also make provision for a body (including a committee of the General Council which is not one of the statutory committees) to assist the MPTS in connection with the exercise of functions conferred on the MPTS by virtue of sub-paragraph (2)(a) or (b).
- (9) The MPTS must provide or arrange for the provision of—
 - (a) such training as they may determine for persons appointed to a panel list;
 - (b) such training as they may determine for persons whom they propose to appoint to a panel list.
- (10) Rules under this paragraph may include provision with regard to the effect (if any) of any defect in the appointment of a person to a panel list or in the selection of a person to serve as the chair or another member of a Medical Practitioners Tribunal or an Interim Orders Tribunal.

Status: Point in time view as at 31/12/2020.

Changes to legislation: Medical Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 June 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)

- (11) The MPTS must maintain a system for the declaration and registration of private interests of persons appointed to a panel list.
- (12) The MPTS must publish in such manner as they see fit entries recorded in the register of appointees’ private interests.
- (13) There are to be paid to persons appointed to a panel list such remuneration and such travelling, subsistence or other expenses as the General Council may allow.
- (14) In this paragraph, “registrant member” and “lay member” each have the same meaning as in paragraph 1A.
- (15) Rules under this paragraph may make different provision for different cases or different classes of case and may contain such incidental, consequential, transitional, transitory, saving or supplementary provisions as appear to the General Council to be necessary or expedient.]

Supplementary

- 23 Rules under [F30 paragraph 19C] above shall secure that—
- (a) only persons who are not members of the General Council shall be members of F31...a Registration Appeals PanelF31...
 - F32(b); and
 - (c) a person who is a member of the Investigation Committee or a [F33Registration Panel] may not at the same time be a member of F31... a Registration Appeals PanelF31....

Textual Amendments

F30 Words in Sch. 1 para. 23 substituted (31.12.2015) 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), **4(1)(a)**; S.I. 2015/1952, art. 2(c)

F31 Words in Sch. 1 para. 23(a)(c) omitted (31.12.2015) by virtue of [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), **4(1)(b)**; S.I. 2015/1952, art. 2(c)

F32 Sch. 1 para. 23(b) omitted (31.12.2015) by virtue of [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), **4(1)(c)**; S.I. 2015/1952, art. 2(c)

F33 Words in Sch. 1 para. 23(c) substituted (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 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **3(2)(b)**

- 23B Rules under paragraph [F3419B, 19C or 19D] above may make provision as to quorum.

Textual Amendments

F34 Words in Sch. 1 para. 23B substituted (31.12.2015) 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), **4(2)**; S.I. 2015/1952, art. 2(c)

Status: Point in time view as at 31/12/2020.

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[^{F35}23C. Rules under any of the paragraphs mentioned in paragraph 23B [^{F36}or under paragraph 19F] may also make provision for a body (including a committee of the General Council which is not one of the statutory committees) to assist the General Council in connection with the exercise of any function relating to the appointment of members or particular members of any of the panels or the committee to which those paragraphs relate, including any function relating to tenure of office or suspension or removal from office.]

Textual Amendments

- F35** Sch. 1 para. 23C inserted (1.1.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 21(8)**; S.I. 2008/2556, art. 2(2)(a)(i)
- F36** Words in Sch. 1 para. 23C inserted (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), **4(3)**; S.I. 2015/1579, art. 2(c) (with art. 3)

[^{F37}23D. The overriding objective of the General Council in exercising the power to make rules under paragraph 19F or 19G is to secure that Medical Practitioners Tribunals and Interim Orders Tribunals deal with cases fairly and justly][^{F38}; and where the General Council consider that there is a conflict between meeting the objective under this paragraph and the over-arching objective, they must give priority to meeting the objective under this paragraph.]

Textual Amendments

- F37** Sch. 1 para. 23D inserted (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), **4(4)**; S.I. 2015/1579, art. 2(c) (with art. 3)
- F38** Words in Sch. 1 para. 23D inserted (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(7)** (with art. 1(4)); S.I. 2015/1579, art. 2(1)

24 Rules under paragraph [^{F39}19B, 19C, 19D, 19F or 19G] above shall not come into force until approved by order of the Privy Council.

Textual Amendments

- F39** Words in Sch. 1 para. 24 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), **4(5)**; S.I. 2015/1579, art. 2(c) (with art. 3)

25 (1) Without prejudice to the preceding provisions of this Part of this Schedule the General Council may constitute ^{F40}... one or more committees.

[^{F41}(1A) Any committee of the General Council may consist of or include persons who are not members of the Council.]

[^{F42}(2) [^{F43}Subject to and in accordance with [^{F44}paragraphs 19B, 19C, 19D, 19F, 19G and 23] above,] a Committee of the General Council may, if authorised to do so by the General Council, co-opt such persons (whether or not members of the Council) as the Committee think fit.]

Status: Point in time view as at 31/12/2020.

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- (3) The General Council may delegate to any committee of the Council [^{F45}(other than the MPTS or a Medical Practitioners Tribunal or Interim Orders Tribunal)] such of the Council's functions as they think fit^{F46}....
- [^{F47}(4) Except where rules made [^{F48}under paragraph 19F(3)(f) or 19G(2)(d) or] by virtue of paragraph 23B above make provision as to quorum in the case of any of the statutory committees, the quorum of a committee of the General Council shall be such as the Council may from time to time determine.
- (5) There shall be paid to the members of the committees of the General Council such remuneration and such travelling, subsistence or other expenses as the Council may allow.]

Textual Amendments

- F40** Words in Sch. 1 para. 25(1) omitted (1.7.2003 as notified in the London Gazette dated 1.7.2003) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(a)** (with Sch. 2)
- F41** Sch. 1 para. 25(1A) inserted (1.7.2003 as notified in the London Gazette dated 1.7.2003) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(b)** (with Sch. 2)
- F42** Sch. 1 para. 25(2) substituted (3.8.2000) by [S.I. 2000/1803](#), **art. 15(f)**
- F43** Words in Sch. 1 para. 25(2) inserted (7.7.2004 as notified in the London Gazette dated 2.7.2004) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(c)** (with Sch. 2)
- F44** Words in Sch. 1 para. 25(2) substituted (31.12.2015) 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), **4(6)**; [S.I. 2015/1952](#), art. 2(c)
- F45** Words in Sch. 1 para. 25(3) inserted (31.12.2015) 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), **4(7)**; [S.I. 2015/1952](#), art. 2(c)
- F46** Words in Sch. 1 para. 25(3) omitted (1.1.2009) by virtue of [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 5(4)**
- F47** Sch. 1 para. 25(4)(5) substituted for Sch. 1 para. 25(4) (1.7.2003 in so far as it relates to new para. 25(5), as notified in the London Gazette dated 1.7.2003, 1.11.2004 in so far as not already in force as notified in the London Gazette dated 8.10.2004) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(d)** (with Sch. 2)
- F48** Words in Sch. 1 para. 25(4) inserted (31.12.2015) 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), **4(8)**; [S.I. 2015/1952](#), art. 2(c)

PART IV

THE BRANCH COUNCILS

- 26 (1) There shall continue to be a branch council for England, for Wales, for Scotland and for Northern Ireland.
- [^{F49}(2) The branch council for each area shall be constituted as provided by the General Council.
- (2A) Some or all members of a branch council may be persons who are not members of the General Council.]

Status: Point in time view as at 31/12/2020.

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(3) The General Council may delegate to a branch council such of the functions of the General Council ^{F50} ... as the General Council think fit.

Textual Amendments

F49 Sch. 1 para. 26(2)(2A) substituted (17.12.2002) for Sch. 1 para. 26(2) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(d)** (with transitional provisions in Sch. 2)

F50 Words in Sch. 1 para. 26(3) omitted (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 virtue of [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **62(b)**

27 Each branch council shall appoint a registrar of the council but the person appointed to be registrar of the General Council—

- (a) shall also be registrar of the branch council for England; and
- (b) may also be registrar of all or any of the other branch councils.

28 The General Council shall furnish each branch council with such sums as the branch council may require for defraying any expenses incurred by the branch council with the approval of the General Council; and each branch council shall furnish the General Council with such evidence as the General Council may reasonably require of all payments made by the branch council out of sums furnished by the General Council.

[^{F51}29 There shall be paid to the members of the branch councils such remuneration and such travelling, subsistence or other expenses as the General Council may allow.]

Textual Amendments

F51 Sch. 1 para. 29 substituted (17.12.2002) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(h), **15(7)(e)** (with transitional provisions in Sch. 2)

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

Medical Act 1983, SCHEDULE 1 is up to date with all changes known to be in force on or before 22 June 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.