

*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: Medical Act 1983, Paragraph 2 is up to date with all changes known to be in force on or before 15 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

### [<sup>F1</sup>SCHEDULE 3A

#### REGISTRATION [<sup>F1</sup>AND TRAINING] APPEALS

##### Textual Amendments

- F1** Sch. 3A inserted (1.4.2005 as notified in the London Gazette dated 14.1.2005) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **8(2)** (with Sch. 2)
- F1** Words in Sch. 3A heading inserted (11.2.2010 for specified purposes, 1.4.2010 in so far as not already in force) by [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2010 \(S.I. 2010/234\)](#), art. 1(3)(4), **Sch. 1 para. 17(2)**; S.I. 2010/478, art. 2(b)

##### Modifications etc. (not altering text)

- C1** Sch. 3A extended (30.9.2005 for specified purposes as notified in the London Gazette dated 26.8.2005, 1.4.2006 in so far as not already in force as notified in the London Gazette dated 26.8.2005) by [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2003 \(S.I. 2003/1250\)](#), arts. 1(2)(3), **18(6)**

#### *Appealable registration decisions*

- 2 (1) The following decisions are appealable registration decisions for the purposes of this Schedule—
- (a) a decision on an application made under Schedule 3 to this Act not to register the applicant under section 3 of this Act as a fully registered medical practitioner (registration by virtue of primary United Kingdom or primary European qualifications);
  - [<sup>F2</sup>(aa) a decision on an application made under Schedule 3 to this Act not to register the applicant under section 14A of this Act as a fully registered medical practitioner (full registration of EEA nationals etc without certain acquired rights certificates);
  - (ab) a decision under Part 3 of the General Systems Regulations to require an exempt person within paragraphs (a) and (b) of section 14A(1) to complete an adaptation period, or pass an aptitude test, in connection with becoming entitled by virtue of that Part of those Regulations to pursue the profession of medical practitioner in the United Kingdom;]
  - (b) a decision on an application made under Schedule 3 to this Act not to register the applicant provisionally under section 15 of this Act (provisional registration);
  - (c) a decision on an application made under Schedule 3 to this Act not to register the applicant provisionally under section 15A of this Act (provisional registration for EEA nationals);
  - (d) a decision on an application made under Schedule 3 to this Act not to register a qualification under section 16(1) of this Act (registration of qualifications);

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- F<sup>3</sup>(e) .....
- (f) a decision not to direct that a person shall be registered under section 19(1) of this Act (full registration of EEA nationals etc. by virtue of overseas primary qualifications etc.);
- [ a decision on an application made under Schedule 3 to this Act not to register the applicant under section 19A of this Act as a fully registered medical practitioner (full registration of EEA nationals etc by virtue of overseas qualifications accepted by a relevant European State other than the United Kingdom);
- F<sup>4</sup>(fa) (fb) a decision under Part 3 of the General Systems Regulations to require an exempt person within paragraphs (a) and (b) of section 19A to complete an adaptation period, or pass an aptitude test, in connection with becoming entitled by virtue of that Part of those Regulations to pursue the profession of medical practitioner in the United Kingdom;]
- (g) a decision not to direct that a person shall be registered provisionally under section 21(2) of this Act (provisional registration);
- F<sup>5</sup>(h) .....
- F<sup>6</sup>(i) .....
- F<sup>6</sup>(j) .....
- F<sup>6</sup>(k) .....
- [ a decision not to direct that a person be registered under section 21B of this Act (full registration of persons with an overseas qualification);
- F<sup>7</sup>(ka) (kb) a decision not to direct that a person be registered under section 21C of this Act (provisional registration of persons with an overseas qualification);]
- (l) a decision not to register a qualification under section 26(1) <sup>F<sup>8</sup></sup>... of this Act (registration of qualifications);
- [ a decision under section 27A of this Act (temporary registration for visiting eminent specialists)—
- F<sup>9</sup>(m) (i) not to direct that a person be registered under that section,  
 (ii) as to any conditions specified in a direction that a person be registered under that section;
- (ma) a decision under section 27B of this Act (special purpose registration)—  
 (i) not to direct that a person be registered under that section,  
 (ii) as to the conditions specified in a direction that a person be registered under that section;]
- [ a decision under section 39 of this Act (fraud or error in relation to registration) to erase an entry from the register<sup>F<sup>11</sup></sup>, the General Practitioner Register or the Specialist Register;]
- F<sup>10</sup>(mb) (n) a decision under section 44 of this Act (effect of disqualification in another member State on registration in the United Kingdom)—  
 (i) under subsection (1) <sup>F<sup>12</sup></sup>... , not to register a person, or  
 (ii) under subsection (3), to remove a person's name from the register;
- [ a decision under section 44B of this Act (fitness to practise matters prior to registration) to refuse to register a person or to erase a person's name from the register;]
- F<sup>13</sup>(o) [ a decision not to give a direction under section 44D(1) or (2) of this Act (approved practice settings) disapplying the requirements set out in those subsections.]
- F<sup>14</sup>(p)

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<sup>F15</sup>(q) .....

- (2) But a decision is not an appealable registration decision for the purposes of this Schedule if it is a decision to refuse registration to a person, or to erase a person's name from the register, by reason only that the person failed to—
- (a) pay the prescribed fee for registration;
  - (b) make an application as required under this Act; or
  - (c) produce a certificate obtained under section 10 of this Act.]

#### Textual Amendments

- F2** Sch. 3A para. 2(1)(aa)(ab) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **34(b)(i)**
- F3** Sch. 3A para. 2(1)(e) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **34(b)(ii)**
- F4** Sch. 3A para. 2(1)(fa)(fb) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **34(b)(iii)**
- F5** Sch. 3A para. 2(1)(h) 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), **44(a)(i)**
- F6** Sch. 3A para. 2(1)(i)-(k) 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), **18(a)**
- F7** Sch. 3A para. 2(1)(ka)(kb) 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 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **44(a)(ii)**
- F8** Words in Sch. 3A para. 2(1)(l) 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), **18(b)**
- F9** Sch. 3A para. 2(1)(m)(ma) substituted for Sch. 3A para. 2(1)(m) (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), **44(a)(iii)**
- F10** Sch. 3A para. 2(1)(mb) 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 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **63(b)**
- F11** Words in Sch. 3A para. 2(1)(mb) inserted (11.2.2010 for specified purposes, 1.4.2010 in so far as not already in force) by [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2010 \(S.I. 2010/234\)](#), art. 1(3)(4), **Sch. 1 para. 17(4)**; S.I. 2010/478, art. 2(b)
- F12** Words in Sch. 3A para. 2(1)(n)(i) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **34(b)(iv)**
- F13** Sch. 3A para. 2(1)(o) 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), **54**
- F14** Sch. 3A para. 2(1)(p) 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 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **71**
- F15** Sch. 3A para. 2(1)(q) 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. 34(3)** (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)

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