



Medical Act 1983

1983 CHAPTER 54

[^{F1}PART V

FITNESS TO PRACTISE AND MEDICAL ETHICS

[^{F1}35E Provisions supplementary to section 35D

- (1) Where, under section 35D above, a Fitness to Practise Panel—
 - (a) give a direction that a person's name shall be erased from the register;
 - (b) give a direction for suspension;
 - (c) give a direction for conditional registration; or
 - (d) vary any of the conditions imposed by a direction for conditional registration,the Registrar shall forthwith serve on the person concerned notification of the direction or variation and of his right to appeal against it under section 40 below.
- (2) In subsection (1) above—
 - (a) references to a direction for suspension include a reference to a direction extending a period of suspension; and
 - (b) references to a direction for conditional registration include a reference to a direction extending a period of conditional registration.
- (3) While a person's registration in the register is suspended by virtue of a direction under section 35D—
 - (a) he shall be treated as not being registered in the register notwithstanding that his name still appears in it, but

[sections 31A, 35C, 35CC and 35D above, this section and section 39 below

 - ^{F2}(b) shall continue to apply to him.]
- (4) In section 35D above, "health case" means any case in which a Fitness to Practise Panel has determined that—
 - (a) a person's fitness to practise is impaired by reason of a matter falling within paragraph (d) of subsection (2) of section 35C above, but

Status: Point in time view as at 11/02/2010. This version of this provision has been superseded.

Changes to legislation: Medical Act 1983, Section 35E is up to date with all changes known to be in force on or before 18 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)

- (b) the person’s fitness to practise is not impaired by any matter falling within any other paragraph of that subsection.]

Textual Amendments

- F1** Pt. V substituted (1.7.2003 for the substitution of s. 41A(2)(a) and Pt. V heading for specified purposes as notified in the London Gazette dated 1.7.2003, 7.7.2004 for the substitution of s. 35CC(1) as notified in the London Gazette dated 2.7.2004, 1.11.2004 in so far as not already in force except for the substitution of ss. 41(7)(8), 41C, 44(4), 44A(3) as notified in the London Gazette dated 8.10.2004, 16.11.2009 for the insertion of s. 41C as notified in the London Gazette dated 21.8.2009) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), art. 1(2)(3), **13** (with Sch. 2)
- F2** S. 35E(3)(b) substituted (19.7.2006 for specified purposes, 15.9.2006 in so far as not already in force as notified in the London Gazette dated 8.9.2006) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **58**

Modifications etc. (not altering text)

- C1** S. 35E(1) excluded (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), **84(5)(a)**

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