



Medical Act 1983

1983 CHAPTER 54

PART V

PROFESSIONAL CONDUCT AND FITNESS TO PRACTISE

45 Disciplinary provisions affecting practitioners who render services while visiting the United Kingdom.

- (1) If a national of [^{F1}an EEA State] who has medical qualifications entitling him to registration under section 3 above but is not so registered and who renders medical services while visiting the United Kingdom (whether or not registered as a visiting [^{F2}EEA practitioner])—
 - (a) is found by the Professional Conduct Committee to have been convicted of a criminal offence in [^{F1}any EEA State] where he was practising medicine; or
 - (b) is judged by the Professional Conduct Committee to have been guilty of serious professional misconduct,the Committee may, if they think fit, impose on him a prohibition in respect of the rendering of medical services in the United Kingdom in the future.
- (2) A prohibition imposed under this section shall either relate to a period specified by the Professional Conduct Committee or be expressed to continue for an indefinite period.
- (3) A person may apply to the General Council for termination of a prohibition imposed on him under this section and the Council may, on any such application, terminate the prohibition or reduce the period of it; but no application may be made under this subsection—
 - (a) earlier than [^{F3}five years] from the date on which the prohibition was imposed; or
 - (b) in the period of [^{F4}twelve months] following a decision made on an earlier application.
- (4) Section 18(1) above does not apply to a person and that person shall not be registered as a visiting [^{F2}EEA practitioner] at a time when he is subject to a prohibition imposed by the Professional Conduct Committee under this section.

Status: Point in time view as at 03/08/2000. This version of this provision has been superseded.

Changes to legislation: Medical Act 1983, Section 45 is up to date with all changes known to be in force on or before 12 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)

- [^{F5}(5) Before determining whether to terminate a prohibition under subsection (3), the General Council shall require the person applying for its termination to provide such evidence as they direct as to one or more of his good character, professional competence and health; and they shall not terminate the prohibition if that evidence does not satisfy them.
- ^{F5}(6) Where, during the same period of prohibition, a second or subsequent application for termination of the prohibition, made by or on behalf of a person on whom the prohibition has been imposed, is unsuccessful, the General Council may direct that his right to make any further such applications shall be suspended indefinitely.
- ^{F5}(7) Where the General Council give a direction under subsection (6), the Registrar shall without delay serve on the person in respect of whom it has been made a notification of the direction and of his right to appeal against it in accordance with section 40.
- ^{F5}(8) Any person in respect of whom a direction has been given under subsection (6) may, after the expiration of three years from the date on which the direction was made, apply to the General Council for that direction to be reviewed by the General Council and, thereafter, may make further applications for review; but no such application may be made before the expiration of three years from the date of the most recent review decision.]

Textual Amendments

- F1** Words in s. 45(1) substituted (10.7.1996) by [S.I. 1996/1591, reg. 7, Sch. 2 para. 10\(a\)](#)
- F2** Words in s. 45(1)(4) substituted (10.7.1996) by [S.I. 1996/1591, reg. 7, Sch. 2 para. 10\(b\)](#)
- F3** Words in s. 45(3)(a) substituted (3.8.2000) by [S.I. 2000/1803, art. 13\(a\)](#)
- F4** Words in s. 45(3)(b) substituted (3.8.2000) by [S.I. 2000/1803, art. 13\(b\)](#)
- F5** S. 45(5)-(8) inserted (3.8.2000) by [S.I. 2000/1803, art. 13\(c\)](#)

Status:

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