

SCHEDULE 1

Article 2

INTERPRETATION

In this Order—

- “1977 Act” means the National Health Service Act 1977**(1)**;
- “1978 Act” means the National Health Service (Scotland) Act 1978**(2)**;
- “1997 Act” means the National Health Service (Primary Care) Act 1997**(3)**;
- “Appeal Panel” has the meaning assigned to it in article 21(1);
- “the Board” means the Postgraduate Medical Education and Training Board;
- “certificate of acquired rights” means a certificate issued under article 36(4) of the Directive, to the effect that its holder has an acquired right to practise as a general practitioner under the national social security scheme of the issuing State without a vocational training certificate in general practice;
- “certificate of equivalent experience” means a certificate issued by the JCPTGP pursuant to—
- (a) regulation 12 of the Vocational Training Regulations (certificate of equivalent experience) and includes for the purposes of article 11(1)(c) a certificate of equivalent experience issued under the National Health Service (Vocational Training) Regulations 1979**(4)**;
 - (b) regulation 12 of the Vocational Training Regulations (Scotland) (certificate of equivalent experience) and includes for the purposes of article 11(1)(c) a certificate of equivalent experience issued under the National Health Service (Vocational Training) (Scotland) Regulations 1980**(5)**;
 - (c) regulation 12 of the Vocational Training Regulations (Northern Ireland) (certificate of equivalent experience) and includes for the purposes of article 11(1)(c) a certificate of equivalent experience issued under the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1979**(6)**,
- or a certificate issued by the Board, in accordance with those provisions, pursuant to the transitional, transitory, and saving provisions in Schedule 8;
- “certificate of prescribed experience” means a certificate issued by the JCPTGP pursuant to—
- (a) regulation 10 of the Vocational Training Regulations (certificate of prescribed experience) and includes for the purposes of article 11(1)(b) a certificate of equivalent experience issued under the National Health Service (Vocational Training) Regulations 1979**(7)**;
 - (b) regulation 10 of the Vocational Training Regulations (Scotland) (certificate of prescribed experience) and includes for the purposes of article 11(1)(b) a certificate of equivalent experience issued under the National Health Service (Vocational Training) (Scotland) Regulations 1980**(8)**;
 - (c) regulation 10 of the Vocational Training Regulations (Northern Ireland) (certificate of prescribed experience) and includes for the purposes of article 11(1)(b) a certificate

(1) 1977 c. 49.

(2) 1978 c. 29.

(3) 1997 c. 46.

(4) S.I. 1979/1644. These Regulations were revoked by S.I. 1997/2817.

(5) S.I. 1980/30. These Regulations were revoked by S.I. 1998/5.

(6) S.R. 1979 No. 460. These Rules were revoked by S.R. 1998 No. 13.

(7) S.I. 1979/1644. These Regulations were revoked by S.I. 1997/2817.

(8) S.I. 1980/30. These Regulations were revoked by S.I. 1998/5.

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of equivalent experience issued under the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1979⁽⁹⁾,

or a certificate issued by the Board, in accordance with those provisions, pursuant to the transitional, transitory, and saving provisions in Schedule 8;

“competent authority”, in relation to an EEA State, means the authority or body designated by that State as competent for the relevant purposes of the Directive;

“consultant in the National Health Service” means a consultant other than a locum consultant (but including an honorary consultant) employed for the purposes of providing any service as part of the National Health Service;

“CCT” means Certificate of Completion of Training awarded under article 8, including any such certificate awarded in pursuance of the Board’s competent authority functions specified in article 20(3)(a);

“CCST” means a Certificate of Completion of Specialist Training awarded by the STA under the ESMQO 1995 or a Certificate of Completion of Specialist Training issued by the Board, in accordance with the provisions of the ESMQO 1995, pursuant to the transitional, transitory, and saving provisions in Schedule 8;

“the Directive” means Council Directive [93/16/EEC](#) of 5th April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications⁽¹⁰⁾—

(a) as adapted by paragraph 4(b), (c) and (d) of Annex VII to the EEA Agreement (where the specialist medical qualifications awarded in certain EEA States⁽¹¹⁾ and the names given to specialities in those States are set out); and

(b) as amended by—

(i) the Act annexed to the Treaty relating to the accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden signed at Corfu on 24th June 1994⁽¹²⁾, as adjusted by the Decision of the Council of the European Union of 1st January 1995 adjusting the instruments concerning the accession of new Member States to the European Union⁽¹³⁾,

(ii) Council Directive [97/50/EC](#)⁽¹⁴⁾, Commission Directive [98/21/EC](#)⁽¹⁵⁾, Commission Directive [98/63/EC](#)⁽¹⁶⁾, Commission Directive [1999/46/EC](#)⁽¹⁷⁾ and Directive [2001/19/EC](#)⁽¹⁸⁾, and

(iii) the Agreement between the European Community and its Member States of the one part, and the Swiss Confederation, of the other, on the free movement of persons, signed at Luxembourg on 21st June 1999;

“EEA” means European Economic Area which shall be read as including Switzerland;

“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 ⁽¹⁹⁾ as adjusted by the Protocol signed at Brussels on 17th March 1993⁽²⁰⁾,

⁽⁹⁾ S.R. 1979 No. 460. These Rules were revoked by S.R. 1998 No. 13.

⁽¹⁰⁾ O.J. No. L165, 7.7.1993, p. 1. This Directive is a consolidation of the earlier Directives as indicated in Annex IV to the Directive, and was applied to EEA States other than members of the EC by Decision No. 7/94 of the EEA Joint Committee of 21 March 1994 (O.J. No. L 160, 28.6.94, p. 1).

⁽¹¹⁾ These States are Austria, Finland, Iceland, Liechtenstein, Norway and Sweden.

⁽¹²⁾ O.J. No. C241, 29.8.84, p. 21. Norway did not ratify the Treaty.

⁽¹³⁾ O.J. No. L1, 1.1.1995, p. 1.

⁽¹⁴⁾ O.J. No. L291, 24.1.1997, p. 35.

⁽¹⁵⁾ O.J. No. L119, 22.4.98, p. 15.

⁽¹⁶⁾ O.J. No. L253, 15.9.98, p. 24.

⁽¹⁷⁾ O.J. No. L139, 2.6.99, p. 25.

⁽¹⁸⁾ O.J. No. L206, 31.7.2001, p. 1.

⁽¹⁹⁾ O.J. No. L 1, 3.1.1994, p. 3.

⁽²⁰⁾ O.J. No. L 1, 3.1.1994, p. 572.

as amended by Decisions of the EEA Joint Committee Nos. 190/1999 of 17th December 1999(21), 89/2000 of 27th October 2000(22) and 84/2002 of 25th June 2002(23);

“EEA State” means a Contracting Party to the EEA Agreement or Switzerland;

“ESMQO 1995” means the European Specialist Medical Qualifications Order 1995(24);

“fee” shall be construed in accordance with article 24;

“general practitioner” means a general medical practitioner;

“GMC” means the General Medical Council;

“General Practitioner Register” means the register maintained by the GMC pursuant to article 10(1);

“GP Registrar” has the meaning assigned to it in article 5(5);

“GP Trainer” has the meaning assigned to it in article 5(4);

“JCPTGP” means the Joint Committee on Postgraduate Training for General Practice;

“Medical Act” means the Medical Act 1983(25);

“National Health Service” means the health services established in pursuance of the National Health Service Act 1946, the National Health Service (Scotland) Act 1947 or any health services provided in pursuance of article 4(a) of the Health and Personal Social Services (Northern Ireland) Order 1972(26);

“prescribed” means prescribed in rules made by the Board;

“registered dentist” has the same meaning as in the Dentists Act 1984(27);

“the Registers” means the General Practitioner Register and the Specialist Register;

“restricted services principal” means the same as in the National Health Service (General Medical Services) Regulations 1992(28), the National Health Service (General Medical Services) (Scotland) Regulations 1995(29), or the General Medical Services Regulations (Northern Ireland) 1997(30), as the case may be;

“the 1994 Regulations” means the Vocational Training for General Medical Practice (European Requirements) Regulations 1994(31);

“Specialist Register” means the register maintained by the GMC pursuant to article 13(1);

“statement of eligibility for registration” has the meaning assigned to it in article 11(7) for general practitioners and article 14(11) for specialist medical practitioners;

“statutory committees” has the meaning assigned to it in article 3(8);

“STA” means the Specialist Training Authority of the medical Royal Colleges;

“United Kingdom country” means England, Scotland, Wales or Northern Ireland;

(21) O.J. No. L74, 15.3.2001, p. 26.

(22) O.J. No. L7, 11.1.2001, p. 9.

(23) O.J. No. L266, 3.10.2002, p. 36. The Agreement has also been amended by other decisions which are not relevant to the Directive.

(24) S.I. 1995/3208, relevant amendments to which were made by S.I. 1997/2928, 1999/1373 and 3154, and 2002/849.

(25) 1983 c. 54; as amended by: the Medical (Professional Performance) Act 1995 (c. 51); the National Health Service (Primary Care) Act 1997 (c. 46); the National Health Service Reform and Health Care Professions Act 2002 (c. 17); and S.I. 1986/23, 1996/1591, 2000/1803, 2000/3041 and 2002/3135.

(26) S.I. 1972/1265 (NI).

(27) 1984 c. 24.

(28) S.I. 1992/635.

(29) S.I. 1995/416.

(30) S.R. 1997 No. 380.

(31) S.I. 1994/3130.

“vocational training certificate” means a diploma, certificate or other evidence of formal qualifications awarded on completion of a course of specific training in general medical practice and referred to in Article 30 of the Directive;

“Vocational Training Regulations” means the National Health Service (Vocational Training for General Medical Practice) Regulations 1997⁽³²⁾;

“Vocational Training Regulations (Northern Ireland)” means the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1998⁽³³⁾; and

“Vocational Training Regulations (Scotland)” means the National Health Service (Vocational Training for General Medical Practice) (Scotland) Regulations 1998⁽³⁴⁾.

SCHEDULE 2

Article 3(6) and (10)

THE POSTGRADUATE MEDICAL EDUCATION AND TRAINING BOARD AND ITS STATUTORY COMMITTEES

PART 1

THE BOARD

Membership

1.—(1) The Board shall consist of twenty-five members, and those members shall fall into one of the following categories—

(a) members whose names are included in the register of medical practitioners maintained by the GMC under section 2 of the Medical Act (registration of medical practitioners) and who are referred to in this Schedule as “medical members”; or

(b) members who—

(i) are not and never have been registered medical practitioners, and

(ii) do not hold any qualification that is registrable under the Medical Act,

and who are referred to in this Schedule as “lay members”.

(2) The number of medical members shall exceed by at least one the number of lay members.

(3) The Scottish Ministers, the Department of Health, Social Services and Public Safety in Northern Ireland and the National Assembly for Wales shall each appoint one medical member and one lay member to the Board and the Secretary of State shall appoint the remaining members (together the appointors are referred to as “the appointing authorities”).

(4) The Secretary of State shall ensure that of the members he appoints—

(a) at least one member is appointed from amongst persons who have been nominated by the GMC; and

(b) at least six medical members are appointed from amongst registered medical practitioners who have been nominated by a body that appears to him to represent the medical Royal Colleges in the United Kingdom (referred to in this paragraph as “the representative body”).

⁽³²⁾ S.I. 1997/2817, relevant amendments to which were made by S.I. 1998/669.

⁽³³⁾ S.R. 1998 No. 13.

⁽³⁴⁾ S.I. 1998/5, relevant amendments to which were made by S.I. 1998/669 and S.I. 2000/23.

(5) The Secretary of State shall, prior to appointing a member pursuant to sub-paragraph (4), make a request in writing to the GMC or the representative body (as the case may be) for a list of names of persons that the GMC or the representative body wishes to nominate, specifying in that request—

- (a) the number of nominations required; and
- (b) the date by which those nominations are required.

(6) The requirements in sub-paragraph (4)(a) or (b) (as the case may be) shall not apply if the GMC or the representative body fails to provide the number of nominations specified pursuant to sub-paragraph (5)(a) by the date specified pursuant to sub-paragraph (5)(b).

(7) The requirement in sub-paragraphs (4)(b) and (5) (insofar as it applies to the representative body) shall not apply if in the reasonable opinion of the Secretary of State, there is no one body that represents the medical Royal Colleges in the United Kingdom.

(8) Subject to the requirements of this paragraph, the appointing authorities shall—

- (a) consult such persons as they consider appropriate before appointing any member; and
- (b) appoint members from among persons who have such qualifications, interests and experience as, in the opinion of that authority, will be of value to the Board in the performance of its functions.

(9) No person shall be prevented from being appointed merely because he has previously been a member of the Board.

(10) Where a member ceases to be a member, the appointing authority that appointed him shall appoint a member to replace him.

(11) Subject to sub-paragraph (12), if the unexpired term is less than twelve months, the vacancy need not be filled if the Board consents.

(12) The vacancy must be filled if the vacancy would result in the requirement in sub-paragraph (2) not being satisfied.

(13) In this paragraph “the unexpired term” means the period beginning with the date on which the member ceases to be a member and ending with the date on which his full term of office would have expired.

(14) On a proposal from the Board or otherwise, the Secretary of State may by order vary the size or composition of the Board provided that—

- (a) the number of medical members always exceeds by at least one the number of lay members; and
- (b) the Scottish Ministers, the Department of Health, Social Services and Public Safety in Northern Ireland and the National Assembly for Wales shall always each appoint at least one medical member and one lay member to the Board.

Tenure of office of members

2.—(1) Subject to sub-paragraph (2), each member’s term of office will be for a period of three years.

(2) For the initial membership of the Board, the appointing authority may determine the duration of the first term of office of each member, save that the term of office shall not be less than three years and it shall not exceed five years.

(3) A person shall be removed from office as a Board member in such circumstances as may be provided for by the Board in rules.

(4) A member may resign at any time by giving notice in writing to the Board and to the appointing authority that appointed him.

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(5) Every member shall retire from the Board on reaching the age of 70.

The chair

3.—(1) Subject to sub-paragraph (3), the members of the Board shall elect a chair from among themselves.

(2) Subject to sub-paragraph (3), the term of office of the chair shall be three years.

(3) The first chair shall be appointed by the Secretary of State and his term of office shall be five years.

(4) Subject to sub-paragraph (5), the chair shall hold office until whichever of the following first occurs—

- (a) he resigns as chair by giving notice in writing to the Secretary of State and the Board;
- (b) he ceases to be a member of the Board; or
- (c) he is removed as chair by a majority vote of the other members of the Board.

(5) The first chair cannot be removed by a majority vote of other members of the Board under sub-paragraph (4)(c) but he may be removed from office by the Secretary of State if—

- (a) he ceases to live or work wholly or mainly in the United Kingdom;
- (b) there is a change in his qualifications, interests or experience such that it appears to the Secretary of State that he will no longer contribute to the Board's exercise of its functions in such manner as justifies his continued chairmanship; or
- (c) there is, in the opinion of the Secretary of State, a serious and persistent deficiency in his attendance at meetings, or in his conduct or performance at meetings of the Board or otherwise.

(6) If the first chair ceases to hold office under sub-paragraphs (4)(a) or (b) or (5), the Secretary of State shall appoint a successor for the unexpired term.

(7) In sub-paragraph (6), “unexpired term” means the period beginning with the date on which the chair ceases to be the chair and ending with the date on which his full term of office as chair under sub-paragraph (3) would have expired.

(8) Subject to sub-paragraph (9), a person shall not be prevented from being elected chair merely because he has previously been chair.

(9) If a period of eight years has elapsed, beginning with his assuming office as chair, and no other person has been appointed or elected (and served) as chair during that time, that person may not be elected as chair until some other person has served as chair.

Delegation of appointment of members and the first chair

4.—(1) The Secretary of State may direct a Special Health Authority to exercise his functions of appointing—

- (a) members of the Board under paragraph 1(3), including members appointed pursuant to paragraph 1(4); or
- (b) the first chair under paragraph 3(3) or (6),

or to assist him in the exercise of such parts of those functions to the extent specified in his direction.

(2) If the Secretary of State does direct a Special Health Authority pursuant to sub-paragraph (1), the 1977 Act has effect as if—

- (a) the directions were directions of the Secretary of State under section 16D of that Act; and accordingly

- (b) the function were exercisable by the Special Health Authority under section 16D.

Observers

5.—(1) The Secretary of State, the Scottish Ministers, the Department for Health, Social Services and Public Safety in Northern Ireland and the National Assembly for Wales may each nominate a representative to attend meetings of the Board.

(2) A representative nominated under paragraph (1) shall not address the Board unless he is invited or requested to do so by the chair of the Board or otherwise has the permission of the Board to address it.

Grants and loans to the Board

6.—(1) The Secretary of State or an appropriate authority may make grants or loans to the Board towards expenses incurred, or to be incurred by it—

- (a) in connection with the process of the implementation of this Order; or
- (b) for such other purposes in connection with the functions of the Board under this Order as may be approved by the Secretary of State or the appropriate authority and agreed with the Board.

(2) In this paragraph, an “appropriate authority” means the Scottish Ministers, the Department of Health, Social Services and Public Safety in Northern Ireland or the National Assembly for Wales.

Procedure of the Board and its committees

7. Subject to any provision made by or under this Order, the Board may regulate its own procedures.

Members' interests

8. The Board shall—

- (a) establish and maintain a system for the declaration and registration of private interests of its members and other members of its committees and sub-committees; and
- (b) publish entries recorded in the resulting register.

Complaints

9. The Board shall establish and maintain a system for resolving complaints made to the Board about the performance of any of its functions under this Order and the Board shall make rules as to how such a system will operate.

Powers of the Board

10.—(1) Subject to any provision made by or under this Order, the Board may do anything which appears to it to be necessary or expedient for the purpose of, or in connection with, the performance of its functions.

(2) The Board shall, in particular, have power—

- (a) to borrow;
- (b) to appoint such staff as it may determine;
- (c) to pay its staff such salaries, allowances and expenses as it may determine;

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- (d) to arrange for the discharge of any of its functions, other than a power to make rules, by its staff or members of the Board;
 - (e) to make such provision for the payment of such pensions, allowances or gratuities, or of such contributions or payments towards provision for such pensions, allowances or gratuities, to or in respect of its staff as it may determine;
 - (f) to make such provision in respect of its members and members of its committees and sub-committees as it may determine—
 - (i) for the payment of allowances or remuneration, including the payment of allowances to employers of such members for the purposes of enabling the members to perform functions under this Order,
 - (ii) for the reimbursement of such expenses as the members may reasonably have incurred in the course of carrying out their functions under this Order;
 - (g) to establish such committees, and sub-committees of its committees, as it considers appropriate in connection with the discharge of its functions and to delegate any of its functions to them other than any power to make rules;
 - (h) to appoint persons who are not members of the Board to any committee or sub-committee it establishes;
 - (i) subject to any provision made by or under this Order, to regulate the procedure of any of its committees or their sub-committees; and
 - (j) to abolish any of its committees (except a statutory committee), or any sub-committee of its committees.
- (3) The Board shall ensure that persons appointed to any committee or sub-committee who are not Board members shall have such qualifications, interests or experience as, in the opinion of the Board, are relevant to the field with which the committee or sub-committee is mainly concerned.
- (4) If it appears to the Board that any committee or sub-committee is failing to perform its functions adequately, the Board may give a direction as to the proper performance of those functions.
- (5) The powers of the Board may be exercised even though there is a vacancy among its members.
- (6) No proceedings of the Board shall be invalidated by any defect in the appointment of a member.
- (7) No person who is a member of the Board or any of its committees or sub-committees who is also a registered medical practitioner may take part in any proceedings of the Board in any period during which he is the subject of any investigation, proceedings or a determination concerning his fitness to practise his profession.

PART 2

THE STATUTORY COMMITTEES

The Training Committee

- 11.**—(1) The Training Committee shall advise and make recommendations to the Board on—
- (a) the standards required for entry to training in general practice or specialist practice;
 - (b) the training curricula to be followed in general practice and for each of the specialties specified in Schedule 3; and
 - (c) such other matters relating to postgraduate medical education and training for general medical practice and specialist practice as the Board may request.

(2) The Board may delegate such of its functions to the Training Committee, or sub-committees of that Committee, as it considers appropriate, other than any power to make rules.

The Assessment Committee

12.—(1) The Assessment Committee shall advise and make recommendations to the Board on—

- (a) the assessment of those undertaking education and training in general practice and specialist medical practice;
- (b) the assessment of persons applying to the Board under article 11(3), 14(4) or 14(5);
- (c) the outcomes to be achieved by education and training in general practice or specialist medical practice, including the levels of skill, knowledge and expertise to be achieved;
- (d) the examinations, assessments and other tests of competence to be completed, whether during or upon completion of a course of education and training in general practice or specialist medical practice; and
- (e) such other matters relating to the assessment of education and training in general practice or specialist medical practice as the Board may request.

(2) The Board may delegate such of its functions to the Assessment Committee, or sub-committees of that Committee, as it considers appropriate, other than any power to make rules.

Procedure of the statutory committees

13.—(1) The Board shall make rules in respect of the statutory committees, and sub-committees of the statutory committees, which shall provide in particular for—

- (a) their composition;
- (b) the appointment of members to the committees, including persons who are not members of the Board;
- (c) subject to the requirements of this Order (and any order made under article 3(11)(b)), their functions;
- (d) the quorum at meetings;
- (e) the procedure to be followed; and
- (f) standards for the attendance and performance of members.

(2) The rules shall, in particular, provide for the chair of a statutory committee to be a medical member of the Board.

(3) In making rules under this paragraph in relation to the appointment of members to the statutory committees and sub-committees of the statutory committees, the Board shall, insofar as it is reasonably practicable, provide for representation on that committee or sub-committee of such of the medical Royal Colleges in the United Kingdom as the Board considers appropriate, having regard to the functions of that committee or sub-committee.

SCHEDULE 3

Article 4(1), (4), (6) and (11), 6(1)(a)(vii),
8(5), 13(2)(a), 14(1) and (4) and 15(1)

**SPECIALTIES IN WHICH THE UK AWARDS A
CCT, AND ANY MINIMUM TRAINING PERIODS**

PART 1

SPECIALTIES WITH MINIMUM TRAINING PERIODS

Five years

Accident and emergency medicine
General (internal) medicine* (*formerly known as general medicine*)
General surgery*
Neurosurgery* (*formally known as neurological surgery*)
Trauma and orthopaedic surgery* (*formally known as orthopaedic surgery*)
Paediatric surgery
Plastic surgery*
Cardio-thoracic surgery (*formerly known as thoracic surgery*)
Urology*

Four years

Cardiology (*formerly known as cardio-vascular disease*)
Chemical pathology (also known as clinical biochemistry)
Child and adolescent psychiatry
Clinical neurophysiology
Clinical pharmacology and therapeutics
Infectious diseases (*formerly known as communicable diseases*)
Public health medicine (*formerly known as community medicine*)
Dermatology
Clinical radiology* (*formerly known as diagnostic radiology, and as radiology*)
Gastro-enterology
Geriatric medicine (*formerly known as geriatrics*)
Immunology (also known as immunopathology)
Medical microbiology and virology (*formerly known as medical microbiology*)
Histopathology* (*formerly known as morbid anatomy and histopathology,*)
Neurology*
Nuclear medicine

Obstetrics and gynaecology*
Occupational medicine
Oral and maxillo-facial surgery (basic medical and dental training)
Paediatrics*
General psychiatry* (*formerly known as psychiatry, as general adult psychiatry, and as mental illness*)
Clinical oncology* (*formerly known as radiotherapy*)
Renal medicine (*formerly known as renal disease, and as nephrology*)
Respiratory medicine* (also known as thoracic medicine)
Rheumatology
Tropical medicine
Genito-urinary medicine (*formerly known as venereology*)

Three years

Anaesthetics*
Endocrinology and diabetes mellitus
Haematology
Ophthalmology*
Otolaryngology* (also known as ENT surgery)

Note: The specialties marked * above are those listed in Annex C of the Directive which are common to all EEA States. The remaining specialties are those in which the UK awards a qualification but which are peculiar to two or more EEA States.

PART 2 OTHER SPECIALTIES

Allergy
Audiological medicine
Clinical cytogenetics and molecular genetics
Clinical genetics
Forensic psychiatry
Intensive care medicine
Medical oncology
Medical ophthalmology
Psychiatry of learning disability
Old age psychiatry
Paediatric cardiology

Palliative medicine
Pharmaceutical medicine
Psychotherapy
Rehabilitation medicine

SCHEDULE 4

Article 5(6)

TEXT OF ARTICLES 30, 31(1) AND 34 OF THE DIRECTIVE

Article 30

Each Member State which dispenses the complete training referred to in Article 23 within its territory shall institute specific training in general medical practice meeting requirements at least as stringent as those laid down in Articles 31 and 32, in such a manner that the first diplomas, certificates or other evidence of formal qualifications awarded on completion of the course are issued not later than 1st January 2006.

Article 31

1. The specific training in general medical practice referred to in Article 30 must meet the following minimum requirements:

- (a) entry shall be conditional upon the successful completion of at least six years' study within the framework of the training course referred to in Article 23;
- (b) it shall be a full-time course lasting at least three years, and shall be supervised by the competent authorities or bodies;
- (c) it shall be practically rather than theoretically based; the practical instruction shall be given, on the one hand, for at least six months in an approved hospital or clinic with suitable equipment and services and, on the other hand, for at least six months in an approved general medical practice or in an approved centre where doctors provide primary care; it shall be carried out in contact with other health establishments or structures concerned with general medical practice; however, without prejudice to the aforesaid minimum periods, the practical instruction may be given for a maximum period of six months in other approved health establishments or structures concerned with general medical practice;
- (d) it shall entail the personal participation of the trainee in the professional activities of the persons with whom he works.

Article 34

1. Without prejudice to the principle of full-time training laid down in Article 31(1)(b), Member States may authorize specific part-time training in general medical practice in addition to full-time training, where the following particular conditions are met:

- the total duration of training may not be shortened because it is being followed on a part-time basis,
- the weekly duration of part-time training may not be less than 50 per cent of weekly full-time training,
- part-time training must include a certain number of full-time training periods, both for the training conducted at a hospital or clinic and for the training given in an approved medical

practice or in an approved centre where doctors provide primary care. These full-time training periods shall be of sufficient number and duration as to provide adequate preparation for the effective exercise of general medical practice.

2. Part-time training must be of a level and quality equivalent to that of full-time training. It shall lead to a diploma, certificate or other evidence of formal qualification, as referred to in Article 30.

SCHEDULE 5

Article 6(3)

TEXT OF ANNEX I TO THE DIRECTIVE

CHARACTERISTICS OF THE FULL-TIME AND PART-TIME TRAINING OF SPECIALISTS AS REFERRED TO IN ARTICLES 24(1)(C) AND 25

1. Full-time training of specialists

Such training shall be carried out in specific posts recognised by the competent authority.

It shall involve participation in all the medical activities of the department where the training is carried out, including on-call duties, so that the trainee specialist devotes to this practical and theoretical training all his professional activity throughout the duration of the standard working week and throughout the year according to provisions agreed by the competent authorities. Accordingly these posts shall be subject to appropriate remuneration.

Training may be interrupted for reasons such as military service, secondment, pregnancy or sickness. The total duration of the training shall not be reduced by reason of any interruption.

2. Part-time training of specialists

This training shall meet the same requirements as full-time training, from which it shall differ only in the possibility of limiting participation in medical activities to a period at least half of that provided for in the second paragraph of point 1.

The competent authorities shall ensure that the total duration and quality of part-time training of specialists are not less than those of full-time trainees. Appropriate remuneration shall consequently be attached to such part-time training.

SCHEDULE 6

Article 10(2)(c) and 12

ACQUIRED RIGHTS OF GENERAL PRACTITIONERS IN THE UNITED KINGDOM

1. For the purposes of article 12(1), a person has an acquired right if—

- (a) on 31st December 1994 his name was included in a medical list kept by a FHSA or in any corresponding list kept by a Health Board in Scotland or by the Northern Ireland Central Services Agency for the Health and Social Services in Northern Ireland;
- (b) on 31st December 1994 he was suitably experienced within the meaning of section 31 of the 1977 Act (requirement of suitable experience), section 21 of the 1978 Act (requirement of suitable experience), or Article 8 of the Health and Personal Social Services (Northern Ireland) Order 1978 (requirement of suitable experience) other than by virtue of—
 - (i) regulation 8(1)(e) of the 1979 Regulations, regulation 8(1)(e) of the 1980 Regulations or regulation 7(1)(d) of the 1979 Northern Ireland Regulations (exemption for applications to be a restricted services principal), or

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(ii) regulation 8(1)(h) of the 1979 Regulations, regulations 8(1)(h) of the 1980 Regulations or regulation 7(1)(g) of the 1979 Northern Ireland Regulations (exemption for doctors who are EC nationals)

even if on that date he had yet to obtain a certificate of prescribed or equivalent experience under any of those Regulations;

(c) on 31st December 1994 he was established in the United Kingdom by virtue of a qualification in medicine awarded in an EEA State other than the United Kingdom which had in his case to be recognised in the United Kingdom by virtue of the Directive (whether or not as read with the EEA Agreement), or by virtue of any enforceable Community right, as entitling him to be registered, or to practise as if he were registered, under section 3 of the Medical Act (registration by virtue of primary United Kingdom or primary European qualifications) as a fully registered medical practitioner; or

(d) subject to paragraph (2), on at least 10 days in the period of 4 years ending with 31st December 1994, or on at least 40 days in the period of 10 years ending with that date, he had—

(i) been engaged as a deputy by, or provided as a deputy to, a doctor whose name was included in the medical list of a FHSA or in any corresponding list kept by a Health Board in Scotland or by the Northern Ireland Central Services Agency for the Health and Social Services in Northern Ireland, or

(ii) been employed as an assistant (other than as a trainee general practitioner) by such a doctor.

2. For the purposes of paragraph 1(d), engagement or provision as a deputy for a period of less than 24 hours beginning before but ending after midnight counts as engagement or provision on the second day only.

3. In this Schedule—

(a) “the 1979 Regulations” means the National Health Service (Vocational Training) Regulations 1979⁽³⁵⁾;

(b) “the 1979 Northern Ireland Regulations” means the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1979⁽³⁶⁾;

(c) “the 1980 Regulations” means the National Health Service (Vocational Training) (Scotland) Regulations 1980⁽³⁷⁾;

(d) “the 1992 Regulations” means the National Health Service (General Medical Services) Regulations 1992⁽³⁸⁾;

(e) “medical list” means the same as in the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974⁽³⁹⁾, the 1992 Regulations or the General Medical Services Regulations (Northern Ireland) 1997⁽⁴⁰⁾, as the case may be; and

(f) “FHSA” means Family Health Services Authority.

⁽³⁵⁾ S.I. 1979/1644. Relevant amendments were made by S.I. 1980/1900, 1981/1790, 1984/215, 1985/1353, 1986/1642 and 1991/406.

⁽³⁶⁾ S.R. 1979 No. 460. Relevant amendments were made by S.R. 1986 No. 69 and 1986 No. 309.

⁽³⁷⁾ S.I. 1980/30. Relevant amendments were made by S.I. 1986/1657 and 1991/576.

⁽³⁸⁾ S.I. 1992/635.

⁽³⁹⁾ S.I. 1974/506. Relevant amendments were made by S.I. 1978/1762, 1985/1625 and 1989/1990.

⁽⁴⁰⁾ S.R. 1997 No. 380.

SCHEDULE 7

Article 15

SPECIALIST QUALIFICATIONS AWARDED IN EEA STATES OTHER THAN THE UNITED KINGDOM

Country	Title of qualification	Awarding body
Austria	Facharzt Diplom	Österreichische Ärztekammer
Belgium	Bijzondere beroepstitel van geneesheer-specialist/Titre professionnel particulier de médecin spécialiste	Minister bevoegd voor Volksgezondheid/Ministre de la Santé publique
Denmark	Bevis for tilladelse til at betegne sig som speciallæge	Sundhedsstyrelsen
Finland	Erikoislääkärin tutkinto/specialläkarexamen	1. Helsingin yliopisto/ Helsingfors universitet 2. Kuopion yliopisto 3. Oulun yliopisto 4. Turun yliopisto
France	1. Certificat d'études spéciales de médecine 2. Attestation de médecin spécialiste qualifié 3. Certificat d'études spéciales de médecine 4. Diplôme d'études spécialisées ou spécialisation complémentaire qualifiante de médecine	1. 3. 4. Universités 2. Conseil de l'Ordre des médecins
Germany	Fachärztliche Anerkennung	Countryesärztekammer
Greece	Τίτλος Ιατρικής Εξειδίκευσης	1. Νομαρχακή Αυτοδιοίκηση 2. Νομαρχια
Iceland	Sérfræðileyfi	Heilbrigðis-og tryggingamálaráðuneyti
Ireland	Certificate of Specialist doctor	Competent authority
Italy	Diploma di medico specialista	Università
Liechtenstein	The diplomas, certificates and other titles awarded in another State to which the Directive applies and which are listed in this Schedule, accompanied by a certificate on the completed practical training issued by the competent authorities.	
Luxembourg	Certificat de médecin spécialiste	Ministre de la Santé publique

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Country	Title of qualification	Awarding body
The Netherlands	Bewijs van inschrijving in een Specialistenregister	<p>1. Medisch Specialisten Registratie Commissie (MSRC) van de Koninklijke Maatschappij tot Bevordering der Geneeskunst</p> <p>2. Sociaal-Geneskundigen Registratie Commissie van de Koninklijke Nederlandsche Maatschappij tot Bevordering der Geneeskunst</p> <p>3. Huisarts en Verpleeghuisarts Registratie Commissie (HVRC) van de Koninklijke Nederlandsche Maatschappij tot Bevordering der Geneeskunst</p>
Norway	Spesialistgodkjenning	Den norske lægeförening ihht. Delegert mindighet
Portugal	<p>1. Grau de assistente e/ou</p> <p>2. Título de especialista</p>	<p>1. Ministério da Saúde</p> <p>2. Ordem dos Médicos</p>
Spain	Título de Especialista	Ministerio de Educación y Cultura
Sweden	Bevis om specialkompetens som läkare, utfärdat av Socialstyrelsen	Socialstyrelsen
Switzerland	Spécialiste, Facharzt, specialista	Département fédéral de l'intérieur

SCHEDULE 8

Article 31(4)

TRANSITIONAL, TRANSITORY AND SAVING PROVISIONS

PART 1

THE ESMQO 1995 AND THE VOCATIONAL TRAINING REGULATIONS

Interpretation

1. In this Part—

- (a) “old specialist register” means the register of specialists maintained by the GMC under article 8 of the ESMQO 1995 (the specialist register); and
- (b) “relevant date” means the date on which this Part comes into force.

General practitioners

2. Where the JCPTGP has approved training under regulation 6 or 8 of either the Vocational Training Regulations, the Vocational Training Regulations (Scotland) or the Vocational Training Regulations (Northern Ireland) (which relate to prescribed medical experience and approval of training posts), the Board shall be deemed to have approved that training under article 4, and if that training is continuing immediately before the relevant date, the Board shall be deemed to have approved such training, until such time as the Board—

- (a) gives approval under article 4(5);
- (b) gives approval under article 4(5) subject to conditions under article 4(7); or
- (c) withdraws approval under article 4(8) or 9(4).

3. Where the JCPTGP has approved a GP Trainer under regulation 7 of either the Vocational Training Regulations, the Vocational Training Regulations (Scotland) or the Vocational Training Regulations (Northern Ireland) (which relate to approval of trainers), and that approval continues immediately before the relevant date, the Board shall be deemed to have approved that general practitioner under article 4, until such time as the Board—

- (a) gives approval under article 4(5);
- (b) gives approval under article 4(5) subject to conditions under article 4(7); or
- (c) withdraws approval under article 4(8) or 9(4).

4. Where an appeal is made against a decision of the JCPTGP which was made under regulation 7 of either the Vocational Training Regulations or the Vocational Training Regulations (Northern Ireland) (appeal against a decision to refuse to approve a GP Trainer)—

- (a) before the relevant date but where the appeal has not been determined by that date; or
- (b) on or after the relevant date within the time limit specified in regulation 7(5) or (6) of the Regulations specified above,

the appeal shall be dealt with in accordance with the relevant provisions of the Vocational Training Regulations or the Vocational Training Regulations (Northern Ireland) (as appropriate).

5. Where a person has applied to the JCPTGP for a certificate of equivalent experience or a certificate of prescribed experience before the relevant date, but the application has not been determined before that date—

- (a) the Board shall determine that application in accordance with the relevant provisions of the Vocational Training Regulations, the Vocational Training Regulations (Scotland) or the Vocational Training Regulations (Northern Ireland) (as appropriate);
- (b) the time limit specified in regulation 12A of each of those Regulations (decisions relating to certificates of equivalent experience in respect of persons exercising a Community right) shall apply (where applicable), and the period of three months specified in regulation 12A(4) shall begin with the date on which the JCPTGP or, as the case may be, the Board received the application together with full supporting documentation; and
- (c) any appeal against a refusal of a certificate shall be made and determined in accordance with the relevant provisions of the Regulations specified in sub-paragraph (a) (including an appeal against a failure to notify the applicant of a decision within the time limit specified in regulation 12A),

save that nothing in this paragraph shall prevent such a person from withdrawing any such application and making a new application to the Board for a CCT pursuant to the provisions of this Order, or for a statement of eligibility for registration pursuant to article 11(3) (as the case may be).

6. Where an appeal is made against a decision of the JCPTGP pursuant to regulation 12A(3) or 13 of either the Vocational Training Regulations, the Vocational Training Regulations (Scotland) or

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the Vocational Training Regulations (Northern Ireland) (as appropriate) (which relate to decisions relating to certificates of equivalent experience in respect of persons exercising a Community right, and appeals against refusal of certificates)—

- (a) before the relevant date but where the appeal has not been determined by that date; or
- (b) on or after the relevant date within the time limit specified in regulation 13(1) of the Regulations specified above,

the appeal shall be dealt with in accordance with the relevant provisions of the Vocational Training Regulations, the Vocational Training Regulations (Scotland) or the Vocational Training Regulations (Northern Ireland) (as appropriate).

7. In determining any application to the Board made by a person to whom the JCPTGP has, before the relevant date, given written advice in relation to his training, the Board shall take that advice into account in determining that person's application.

8. In paragraph 4, 5 and 6, if the relevant provisions have been repealed, they shall be treated for the purposes of those paragraphs as if they remained in force with such modifications as necessary, including as if references to the "Joint Committee" were to the Board.

Specialists

9.—(1) The Registrar of the GMC shall ensure that all specialists whose names are included in the old specialist register immediately before the relevant date are, on the relevant date, transferred to the Specialist Register.

(2) Any application made to the GMC for inclusion in the old specialist register that is made before, but is not finally dealt with by the relevant date shall be determined—

- (a) in accordance with the relevant provisions of the ESMQO 1995, but if the application is successful, the applicant's name shall be included in the Specialist Register instead of the old specialist register; and
- (b) within the time limit specified in article 8(3A) or 8(A) of the ESMQO 1995 (which relate to decisions in respect of persons exercising a Community right and the specialist register), where applicable, the time period beginning with the date on which the GMC received the application for inclusion in the old specialist register together with full supporting documentation,

and any appeal against the GMC's decision to refuse such an application pursuant to article 8(3D) of the ESMQO 1995, shall be dealt with in accordance with that article, or, where applicable, article 8(3B) together with article 8(3D) (which relate to the specialist register), and if that appeal is successful, the applicant's name shall be included in the Specialist Register.

(3) If, pursuant to paragraph 12, the Board or an appeal panel arranged in accordance with article 13 of the ESMQO 1995 (appeals) has determined that a person is an eligible specialist pursuant to article 9(2) or (3) of the ESMQO 1995 (eligible specialists), that person shall be treated as an eligible specialist pursuant to article 14(2) of this Order for the purposes of any subsequent application or request to be included in the Specialist Register.

10. Where the STA has approved specialist training under article 7 of the ESMQO 1995 (minimum requirements of specialist medical training), including any conditions under article 7(3) of the ESMQO 1995, the Board shall be deemed to have approved that training, or those conditions, under article 4 of this Order, and if such training is continuing immediately before the relevant date, the Board shall be deemed to approve that training until such time as the Board—

- (a) gives approval under article 4(5);
- (b) gives approval under article 4(5) subject to conditions under article 4(7); or
- (c) withdraws approval under article 4(8) or 9(4).

11. Where a person has applied to the STA for a CCST before the relevant date, but the application has not been determined by that date—

- (a) the Board shall determine that application in accordance with article 6 of the ESMQO 1995 (certificates of completion of specialist training), and, where applicable, within the time limit specified in article 3(4)(b)(iia) of that Order (the competent authorities); and
- (b) any appeal against a refusal to award a CCST shall be made and determined in accordance with article 13(1) of the ESMQO 1995 (appeals),

save that nothing in this paragraph shall prevent such a person from withdrawing such an application and making a new application to the Board for a CCT under the provisions in this Order.

12. Where a person has applied to the STA under article 9(2) or (3) of the ESMQO 1995 (eligibility for entry to the specialist register) before the relevant date but the application has not been determined by that date—

- (a) the Board shall determine that application in accordance with those provisions, and in accordance with the requirements of article 8A of the ESMQO 1995 (decisions in respect of persons exercising a community right) where applicable; and
- (b) any appeal against a decision of the Board shall be made and determined in accordance with article 13(1) of the ESMQO 1995 (appeals),

save that nothing in this paragraph shall prevent such a person from withdrawing any application he has made to the STA and making a new application to the Board under articles 14(4) or (5) of this Order (as appropriate).

13. Where the STA has received a request in relation to its competent authority functions under article 3(4)(b)(i), (ii), (iii), (iv) or (v), or (c)(i) or (ii) of the ESMQO 1995 (the competent authorities) that was received before, but not finally dealt with by, the relevant date, the Board shall deal with the request in accordance with the relevant provisions of the ESMQO 1995.

14. Where an appeal is made pursuant to article 13(1) of the ESMQO 1995 (appeals) against a decision of the STA before the relevant date but it has not been determined by that date, the appeal shall be determined in accordance with that article.

15. Where—

- (a) a person's name has, before the relevant date, been removed from the old specialist register pursuant to article 14(1) of the ESMQO 1995 (removal and suspension from specialist register); and
- (b) on or after the relevant date, it comes to the notice of the Registrar of the GMC that a person removed from the old specialist register pursuant to article 14(1) of the ESMQO 1995, is a registered medical practitioner, or in the case of an oral and maxillo-facial surgeon, a registered medical practitioner and a registered dentist,

the Registrar shall, if requested to do so by that person, include that person's name in the Specialist Register and shall send him notice of having done so.

16. Where—

- (a) a person's name has been removed from the old specialist register pursuant to article 14(3) of the ESMQO 1995 (removal and suspension from specialist register) before the relevant date and notice has been served on that person pursuant to paragraph 2 of Schedule 6 to the ESMQO 1995; and
- (b) that person, on or after the relevant date, appeals against that removal within any relevant time limits,

that appeal shall be determined in accordance with article 18(6) and (7) of this Order as if the decision to remove that person's name had been taken under article 18(5), and if that appeal is successful, that person's name shall be included in the Specialist Register.

17. Where—

- (a) a person's name has, before the relevant date, been removed from the old specialist register pursuant to article 14(4) of the ESMQO 1995 (removal and suspension from specialist register); and
- (b) on or after the relevant date, it comes to the notice of the Registrar of the GMC that a person removed from the old specialist register pursuant to article 14(4) of the ESMQO 1995, is no longer subject to suspension,

the Registrar shall, if he is satisfied that that person is a registered medical practitioner, or in the case of an oral and maxillo-facial surgeon, a registered medical practitioner and a registered dentist include that person's name in the Specialist Register and shall send him notice of having done so.

18. In any case falling within paragraphs 15 to 17, paragraph 8 of Schedule 4 to the Medical Act (service of notifications of decisions) shall apply to notices required by those paragraphs to be sent to any person by the Registrar of the GMC as it applies to the notifications referred to in that paragraph.

19. In determining any application made to the Board by a person to whom the STA has, before the relevant date, given written advice in relation to his training, the Board shall take that advice into account in determining that person's application.

20. In paragraphs 9, 11, 12, 13 or 14, if the relevant provisions of the ESMQO 1995 have been repealed, they shall be treated for the purposes of those paragraphs as if they remained in force with such modifications as necessary, including as if references to the STA were to the Board.

PART 2

THE GENERAL PRACTITIONER REGISTER

General practitioners permitted to work within the National Health Service during the transitional period

21. This Part shall apply until article 10(4) is brought fully into force.

22.—(1) Subject to sub-paragraph (2) and (3), a person shall not be eligible to be appointed to any post, or work as, a general practitioner in the National Health Service unless—

- (a) he is a registered medical practitioner; and
- (b) he—
 - (i) holds a CCT in general practice awarded by the Board,
 - (ii) has one of the certificates referred to in article 11(1),
 - (iii) was exempt from the need to have acquired the prescribed experience by regulation 5(1)(a), (b), (c), (d) or (f) of the Regulations referred to in article 11(2),
 - (iv) has a statement of eligibility issued to him under article 11(7), or
 - (v) has an acquired right in accordance with article 12(1) and Schedule 6.

(2) The prohibition in sub-paragraph (1) includes—

- (a) in England and Wales—

- (i) nomination or approval to fill a vacancy for a medical practitioner pursuant to any regulations made under section 29B of the 1977 Act(41) (vacancies for medical practitioners),
 - (ii) inclusion in a list of persons undertaking to provide general medical services pursuant to any regulations made under section 29 of the 1977 Act(42) (arrangements and regulations for general medical services) or in a list of persons approved for the purpose of assisting in the provision of any such services prepared pursuant to section 43D of that Act(43) (supplementary lists),
 - (iii) performing personal medical services as part of a pilot scheme within the meaning of section 1(1) of the 1997 Act (pilot schemes), or in accordance with any arrangements made pursuant to section 28C of the 1977 Act(44) (personal medical or dental services), or
 - (iv) inclusion in a list of persons who may perform personal medical services pursuant to any regulations made under section 8ZA of the 1997 Act(45) (lists of persons who may perform personal medical services or personal dental services) or section 28DA of the 1977 Act(46) (lists of persons who may perform personal medical services or personal dental services);
- (b) in Scotland—
- (i) nomination or approval to fill a vacancy for a medical practitioner to provide general medical services pursuant to any regulations made under section 19B (vacancies for medical practitioners) or section 24 (regulations for medical practices committees) of the 1978 Act(47),
 - (ii) inclusion in a list of persons undertaking to provide general medical services pursuant to any regulations made under section 19 of the 1978 Act (arrangements and regulations for general medical services) or in a list of persons approved to assist in the provision of such services pursuant to section 24B of that Act(48) (supplementary lists),
 - (iii) performing personal medical services as part of a pilot scheme within the meaning of section 1(1) of the 1997 Act (pilot schemes) or in accordance with any arrangements made pursuant to section 17C of the 1978 Act(49) (personal medical or dental services), or
 - (iv) inclusion in a list of persons who may perform personal medical services pursuant to any regulations made under section 17EA of the 1978 Act(50) (services lists);
- (c) in Northern Ireland—

(41) Section 29B was inserted by the National Health Service (Primary Care) Act 1997 (c. 46), section 32(1); and amended by: the Health and Social Care Act 2001 (c. 15), section 15(1) and (2), and section 20(1) and (3); and the National Health Service Reform and Health Care Professions Act 2002 (c. 17), section 2(5) and Schedule 2, paragraphs 1 and 5.

(42) Section 29 was extended by the Health and Medicines Act 1988 (c. 49), section 17; and amended by: the Health Services Act 1980 (c. 53), sections 1 and 7 and Schedule 1, paragraph 42(b); the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 6, paragraph 2; the Medical Act 1983 (c. 54), section 56(1) and Schedule 5, paragraph 16(a); S.I. 1985/39, article 7(3); the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 18; the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, paragraph 8; and the National Health Service Reform and Health Care Professions Act 2002 (c. 17), section 2(5) and Schedule 2, paragraphs 1 and 3.

(43) Section 43D was inserted by the Health and Social Care Act 2001 (c. 15), section 24, and amended by the National Health Service Reform and Health Care Professions Act 2002 (c. 17), section 2(5) and Schedule 2, paragraphs 1 and 20.

(44) Section 28C is to be inserted by the National Health Service (Primary Care) Act 1997 (c. 46), section 21(1).

(45) Section 8ZA was inserted by the Health and Social Care Act 2001 (c. 15), section 26(2).

(46) Section 28DA is to be inserted by the Health and Social Care Act 2001 (c. 15), section 26(1).

(47) Section 19B is to be inserted by the National Health Service (Primary Care) Act 1997 (c. 46), section 33(1).

(48) Section 24B is to be inserted by the Community Care and Health (Scotland) Act 2002 (asp 5), section 18(2).

(49) Section 17C was inserted by the National Health Service (Primary Care) Act 1997 (c. 46), section 21(2).

(50) Section 17EA was inserted by the Community Care and Health (Scotland) Act 2002 (asp 5), section 18(1).

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- (i) inclusion in a list of persons undertaking to provide general medical services pursuant to any regulations made under Article 56 of the Health and Personal Social Services (Northern Ireland) Order 1972⁽⁵¹⁾ (arrangements for general medical services),
- (ii) performing personal medical services as part of a pilot scheme within the meaning of Article 3(1) of the Health Services (Primary Care) (Northern Ireland) Order 1997⁽⁵²⁾, or in accordance with any arrangements made pursuant to Article 15B⁽⁵³⁾ of the Health and Personal Social Services (Northern Ireland) Order 1972, or perform personal medical services within the meaning of Article 3(7) of the Health Services (Primary Care) (Northern Ireland) Order 1997, or
- (iii) being engaged as a deputy by, or employed as an assistant by a person undertaking to provide general medical services pursuant to any regulations made under Article 56 of the Health and Personal Social Services (Northern Ireland) Order 1972 (arrangements for general medical services).

(3) The prohibition in sub-paragraph (1) does not include any person undertaking a period of employment as a GP Registrar, or a person who is provisionally registered under section 15, 15A or 21 of the Medical Act acting in the course of his employment in a resident medical capacity in an approved medical practice (within the meaning of section 11(4) of that Act).

(4) A person who has an acquired right under paragraph 1(d) of Schedule 6 shall not be—

- (a) nominated or approved by a Health Authority or Primary Care Trust pursuant to any regulations made under section 29B of the 1977 Act (vacancies for medical practitioners), or included in a list of persons undertaking to provide general medical services pursuant to any regulations made under section 29 of the 1977 Act (arrangements and regulations for general medical services);
- (b) nominated or approved under section 19B of the 1978 Act (vacancies for medical practitioners), selected in accordance with section 23 of that Act (distribution of general medical services) or included in a list of persons undertaking to provide general medical services pursuant to any regulations made under section 19 of that Act (arrangements and regulations for general medical services); or
- (c) included in a list of persons undertaking to provide general medical services pursuant to any regulations made under Article 56 of the Health and Personal Social Services (Northern Ireland) Order 1972 (arrangements for general medical services),

merely because of that acquired right.

(5) A restricted services principal whose name is included in the General Practitioner Register by virtue of—

- (a) an acquired right by virtue of paragraph 1(a) of Schedule 6; or
- (b) an exemption from the need to have the prescribed experience under regulation 5(1)(d) of the Vocational Training Regulations, regulation 5(1)(d) of the Vocational Training Regulations (Scotland) or regulation 5(1)(d) of the Vocational Training Regulations (Northern Ireland) (which relate to exemptions),

shall not be entitled to practise otherwise than in accordance with the restriction which applies in his case.

⁽⁵¹⁾ S.I. 1972/1265 (N.I. 14).

⁽⁵²⁾ S.I. 1997/1177 (N.I. 7).

⁽⁵³⁾ Article 15B is to be inserted by article 21 of the Health Services (Primary Care) (Northern Ireland) Order 1997 (S.I. 1997/1177 (N.I. 7)).

PART 3

THE MEDICAL ACT 1983 (AMENDMENT) ORDER 2002

23.—(1) This Part shall apply in place of article 18(1) and (2), until paragraph 10 of Schedule 1 to the Medical Act 1983 (Amendment) Order 2002⁽⁵⁴⁾ is brought into force.

(2) Where it comes to the notice of the Registrar of the GMC that a person whose name is included in the General Practitioner Register or the Specialist Register is—

- (a) no longer a registered medical practitioner; or
- (b) suspended from the register of medical practitioners kept under section 2 of the Medical Act, under any provision of that Act,

the Registrar shall remove that person's name from the General Practitioner Register or the Specialist Register (as the case may be) and shall send him notice of having done so.

(3) Where it comes to the notice of the Registrar of the GMC that a person removed from the General Practitioner Register or the Specialist Register pursuant to paragraph (2)—

- (a) is once again a registered medical practitioner, in respect of a person whose name has been removed pursuant to sub-paragraph (2)(a); or
- (b) is no longer suspended from the register of medical practitioners kept under section 2 of the Medical Act (unless his name has been erased from that register), in respect of a person whose name has been removed from the General Practitioner Register or the Specialist Register pursuant to sub-paragraph (2)(b),

the Registrar shall, if that person so requests, include that person's name in the Specialist Register or the General Practitioner Register (as the case may be) and shall send him notice of having done so.

(4) Where—

- (a) a person's name has been removed from the General Practitioner Register or the Specialist Register pursuant to this Part; and
- (b) following the coming into force of paragraph 10 of Schedule 1 to the Medical Act 1983 (Amendment) Order 2002, that person becomes a registered medical practitioner,

the Registrar of the GMC shall treat that person as if he was removed from the appropriate Register pursuant to article 18(1) of this Order, and the procedure in article 18(2) shall accordingly apply to that person.

PART 4

TRANSFER OF STAFF, RIGHTS AND LIABILITIES

24.—(1) The Secretary of State may, if he sees fit, provide by directions for the transfer from the old employers to the new employer of any—

- (a) eligible employee; and
- (b) rights or liabilities.

(2) In this paragraph—

- (a) “the new employer” means the Board;
- (b) “the old employers” means the Royal College of General Practitioners or the STA; and

(54) [S.I. 2002/3135](#).

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- (c) “eligible employees” means persons who are employed under a contract of employment with the old employers.

25.—(1) A direction made under paragraph 24(1) may be made by the Secretary of State only if any requirements about consultation have been complied with in relation to eligible employees to be transferred under the scheme.

(2) A direction made under paragraph 24(1) may apply to all, or any description of, eligible employees.

26.—(1) The contract of employment of an eligible employee transferred by virtue of a direction made under paragraph 24(1)—

- (a) is not terminated by the transfer; and
(b) has effect from the date of the transfer as if originally made between the employee and the transferee.

(2) Without prejudice to the generality of sub-paragraph (1), where an employee is transferred pursuant to a direction mentioned in that sub-paragraph—

- (a) all the rights, powers, duties and liabilities of the old employers under or in connection with the contract of employment are, by virtue of this paragraph, transferred to the transferee on the date of transfer; and
(b) anything done in respect of that contract or employee in relation to the old employer is to be treated from that date as having been done by or in relation to the new employer.

(3) Sub-paragraphs (2)(a) and (b) do not transfer an employee’s contract of employment, or the rights, powers, duties and liabilities under or in connection with it, if he informs his old employer that he objects to the transfer.

(4) Where an employee objects as mentioned in sub-paragraph (3), his contract of employment with the old employer is terminated immediately before the date of transfer, but he is not to be treated for any purpose as having been dismissed by that employer.

(5) This paragraph does not prejudice any right of an employee to terminate his contract of employment if a substantial change is made to his detriment in his working conditions but no such right arises by reason only that, by virtue of this paragraph, the identity of his employer changes unless the employee shows that, in all the circumstances, the change is a significant change and is to his detriment.

(6) In this paragraph, “the date of transfer” means, in relation to an eligible employee, the date of the transfer determined under a direction made under paragraph 24(1).

27. A direction made under paragraph 24(1) may provide for the new employer to carry out any other functions necessary or expedient consequent on the dissolution of the old employers.

SCHEDULE 9

Article 31(5)

CONSEQUENTIAL AMENDMENTS TO PRIMARY LEGISLATION

Race Relations Act 1976 (c. 74)

1. In the Race Relations Act 1976(55), in Part II of Schedule 1A (bodies and other persons added after commencement of general statutory duty), under the cross-heading “Health”—

(55) 1976 c. 74, to which relevant amendments were made by S.I. 2001/3457.

- (a) “The Joint Committee on Postgraduate Training for General Practice.” and “The Specialist Training Authority of the Medical Royal Colleges.” shall be omitted from the list; and
- (b) “The Postgraduate Medical Education and Training Board.” shall be inserted in the appropriate position in the list.

National Health Service Act 1977 (c. 49)

- 2. In the National Health Service Act 1977—
 - (a) section 31 (requirement of suitable experience) and section 32 (regulations as to s. 31) shall be omitted;
 - (b) in section 102 (allowances and remuneration for members of certain bodies)—
 - (i) in subsection (1), paragraph (a)(iii) shall be omitted,
 - (ii) in subsection (2), paragraph (b) shall be omitted; and
 - (c) in section 126 (orders and regulations, and directions), in subsection (2), paragraph (a) shall be omitted.

National Health Service (Scotland) Act 1978 (c. 29)

- 3. In the National Health Service (Scotland) Act 1978(56)—
 - (a) in section 17E (personal medical or dental services: regulations), subsection (6) shall be omitted;
 - (b) in section 17EB (application for inclusion in services list)—
 - (i) at the end of subsection (1)(a), the word “or” shall be omitted, and
 - (ii) subsection (1)(b), (2) and (3) shall be omitted;
 - (c) section 21 (requirement of suitable experience) and section 22 (regulations as to section 21) shall be omitted;
 - (d) in section 23 (distribution of general medical services), in subsection (4), “, or as required by section 21” shall be omitted; and
 - (e) in section 24C (application for inclusion in supplementary list)—
 - (i) at the end of subsection (1)(a), the word “or” shall be omitted, and
 - (ii) subsection (1)(b), (2) and (3) shall be omitted.

Health and Personal Social Services (Northern Ireland) Order 1978

- 4. In the Health and Personal Social Services (Northern Ireland) Order 1978(57), Part III (Vocational Training for Medical Practitioners) shall be omitted.

Medical Act 1983 (c. 54)

- 5. In section 21A of the Medical Act 1983(58) (full registration for eligible specialists and qualified general practitioners), for sub-sections (2) and (3), there shall be substituted—
 - “(2) In subsection (1)(b) above—
 - “eligible specialist” means a person—

(56) 1978 c. 29, to which relevant amendments were made by: the National Health Service (Primary Care) Act 1997, section 22(2) (insofar as it relates to personal medical services, section 22(2) is in force, but it is not yet in force in relation to personal dental services); and by the [Community Care and Health \(Scotland\) Act 2002 \(asp 5\)](#), section 18.

(57) S.I. 1978/1907 (N.I.26).

(58) 1983 c. 54; section 21A was inserted by S.I. 2002/3135.

Status: This is the original version (as it was originally made).

- (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
 - (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.
- (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).”.

National Health Service (Primary Care) Act 1997 (c. 46)

6. In the National Health Service (Primary Care) Act 1997—
- (a) in section 2 (provision of personal medical services)—
 - (i) in subsection (2), for paragraph (b) there shall be substituted—
 - “(b) an eligible medical practitioner;”, and
 - (ii) for subsection (4), there shall be substituted—
 - “(4) Regulations shall make provision as to the meaning of “eligible medical practitioner” for the purposes of this section.”;
 - (b) section 11 (medical practitioners to be suitably experienced) shall be omitted;
 - (c) in section 22 (supplementary regulations)—
 - (i) in subsection (1), the subsection (6) of the section 28E (personal medical or dental services: regulations) to be inserted into the 1977 Act shall be omitted, and
 - (ii) in subsection (2)(59), the subsection (6) of the section 17E to be inserted into the 1978 Act shall be omitted; and
 - (d) in section 33 (medical lists and vacancies: Scotland), subsection (3) shall be omitted.

Health Services (Primary Care) (Northern Ireland) Order 1997

7. In the Health Services (Primary Care) (Northern Ireland) Order 1997(60)—
- (a) in Article 4 (provision of personal medical services under a pilot scheme)—
 - (i) for paragraph (2)(b) there shall be substituted—
 - “(b) an eligible medical practitioner;”, and
 - (ii) for paragraph (4), there shall be substituted—
 - “(4) Regulations shall make provision as to the meaning of “eligible medical practitioner” for the purposes of this Article.”; and
 - (b) Article 12 (medical practitioners to be suitably experienced) shall be omitted.

(59) Section 22(2) of the National Health Service (Primary Care) Act 1997 that inserts section 17E into the National Health Service (Scotland) Act 1978 has been commenced insofar as it relates to personal medical services but not in relation to personal dental services.

(60) S.I. 1997/1177 (N.I.7).

SCHEDULE 10

Article 31(5)

**CONSEQUENTIAL AMENDMENTS TO, AND
REVOCATIONS OF, SECONDARY LEGISLATION****PART 1****CONSEQUENTIAL AMENDMENTS***The National Health Service (General Medical Services) Regulations 1992*

1. In the National Health Service (General Medical Services) Regulations 1992⁽⁶¹⁾—
 - (a) in regulation 18E(1) (criteria for approval and nomination), sub-paragraph (a) shall be omitted;
 - (b) in regulation 25 (temporary provision of services), for paragraph (6A) substitute—

“(6A) No doctor may be appointed under paragraph (2) or (6) unless he is included by a Health Authority, Local Health Board or Primary Care Trust in a medical list, a medical supplementary list in accordance with section 43D of the Act, or is named as a performer of personal medical services in a pilot scheme.”;
 - (c) in Schedule 2 (terms of service for doctors)—
 - (i) in paragraph 21A (which applies to England only), for sub-paragraph (2)(a)(iii), there shall be substituted—

“(iii) will, unless he is a trainee general practitioner acting in the place of and under the supervision of the doctor responsible for his training—

 - (aa) be an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (other than by virtue of being a restricted services principal) during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
 - (bb) have his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order (other than by virtue of being a restricted services principal),”
 - (ii) in paragraph 22 (which applies to Wales only), for sub-paragraph (2)(a)(iii), there shall be substituted—

“(iii) will, unless he is a trainee general practitioner acting in the place of and under the supervision of the doctor responsible for his training—

 - (aa) be an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (other than by virtue of being a restricted services principal) during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
 - (bb) have his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article

⁽⁶¹⁾ S.I. 1992/635, relevant amendments to which were made by S.I. 1998/2838, 2001/3742 and 2003/26.

- 10(1) of that Order (other than by virtue of being a restricted services principal), and”, and
- (iii) in paragraph 22A—
- (aa) for sub-paragraph (a) there shall be substituted—
- “(a) either—
- (i) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (other than by virtue of being a restricted services principal) during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
- (ii) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order (other than by virtue of being a restricted services principal); or”, and
- (bb) sub-paragraph (b) shall be omitted;
- (d) in Schedule 3 (information to be considered by a Primary Care Trust when deciding whether or not to declare a vacancy), in Part III, for paragraph 5 there shall be substituted—
- “5. Medical qualifications and experience, and evidence that the doctor—
- (a) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications Order) 2003 during the transitional period set out in paragraph 21 of Schedule 8 to that Order; or
- (b) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order.”; and
- (e) in Schedule 12 (information to be included in practice leaflets), for paragraph 20 there shall be substituted—
- “20. If the practice has practitioners that are approved for the purposes of providing the training to GP Registrars referred to in article 5(1)(c)(i) of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, or if the practice undertakes the teaching of undergraduate medical students, the nature of the arrangements for drawing this to the attention of patients.”.

The Medical Act 1983 (Approved Medical Practice and Conditions of Residence) and National Health Service (General Medical Services) (Amendment) Regulations 1998

2. In regulation 2 of the Medical Act 1983 (Approved Medical Practice and Conditions of Residence) and National Health Service (General Medical Services) (Amendment) Regulations 1998(62), for sub-paragraph (1)(b) substitute—

- “(b) “training practitioner” means a practitioner approved for the purposes of providing the training to GP Registrars referred to in article 5(1)(c)(i) of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003.”.

(62) S.I. 1998/1664, relevant amendments to which were made by S.I. 2000/3040.

The National Health Service (Appointment of Consultants) Regulations 1996

3. In the National Health Service (Appointment of Consultants) Regulations 1996(63), for regulation 4(b) (registration requirements), there shall be substituted—

- “(b) in the case of an appointment of a registered medical practitioner made after the coming into force of article 13(1) of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, his name is included in the Specialist Register kept by the General Medical Council pursuant to article 13(1) of that Order.”.

The National Health Service (Appointment of Consultants) (Wales) Regulations 1996

4. In the National Health Service (Appointment of Consultants) (Wales) Regulations 1996(64), for regulation 4(b) (registration requirements), there shall be substituted—

- “(b) in the case of an appointment of a registered medical practitioner made after the coming into force of article 13(1) of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, his name is included in the Specialist Register kept by the General Medical Council pursuant to article 13(1) of that Order.”.

The National Health Service (Pilot Schemes: Miscellaneous Provisions and Consequential Amendments) Regulations 1998

5. In the National Health Service (Pilot Schemes: Miscellaneous Provisions and Consequential Amendments) Regulations 1998(65), regulation 5 (persons who may perform personal medical services) shall be omitted.

The Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999

6. In the Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999(66), the entry in the table in the Schedule to the Order relating to the Joint Committee on General Practitioner Training shall be omitted.

The National Health Service (General Medical Services Supplementary List) Regulations 2001

7. In the National Health Service (General Medical Services Supplementary List) Regulations 2001(67)—

- (a) in regulation 4(2) (application for inclusion in the supplementary list), for subparagraph (e) there shall be substituted—
- “(e) medical qualifications and where they were obtained, and a copy of evidence confirming that the applicant—
- (i) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, if the application has been made during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
 - (ii) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order, and”;

(63) S.I. 1996/701.

(64) S.I.1996/1313.

(65) S.I. 1998/646, relevant amendments to which were made by S.I. 2002/543.

(66) S.I. 1999/1319.

(67) S.I. 2001/3740, relevant amendments to which were made by S.I. 2002/848.

- (b) in regulation 6(2) (grounds for refusal), for sub-paragraph (d) substitute—
- “(d) if it is not satisfied that he—
- (i) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, if the Primary Care Trust is determining the application during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
 - (ii) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order, and”.

The National Health Service (General Medical Services Supplementary List) (Wales) Regulations 2002 (Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestr Atodol Gwasanaethau Meddygol Cyffredinol) (Cymru) 2002)

8. In the National Health Service (General Medical Services Supplementary List) (Wales) Regulations 2002(**68**)—

- (a) in regulation 4(2) (application for inclusion in the supplementary list), for sub-paragraph (e), there shall be substituted—
- “(e) medical qualifications and where they were obtained, and a copy of evidence confirming that the applicant—
- (i) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, if the application has been made during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
 - (ii) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order, and”;
- (b) in regulation 6(2) (grounds for refusal), for sub-paragraph (d) substitute—
- “(d) if it is not satisfied that he—
- (i) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, if the Health Authority or Local Health Board is determining the application during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
 - (ii) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order, and”.

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestr Atodol Gwasanaethau Meddygol Cyffredinol) (Cymru) 2002 (The National Health Service (General Medical Services Supplementary List) (Wales) Regulations 2002)

9. Yn Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestr Atodol Gwasanaethau Meddygol Cyffredinol) (Cymru) 2002(**69**)—

- (a) yn rheoliad 4(2) (cais i gynnwys enw yn y rhestr atodol) yn lle is-baragraff (d), rhodder—
- “(d) cymwysterau meddygol ac ym mhle y cafwyd hwy, a chopi o'r dystiolaeth sy'n cadarnhau bod y ceisydd—

(68) S.I. 2002/1882(W.191), relevant amendments to which were made by S.I. 2002/2802 (W.270).

(69) O.S. 2002/1882 (Cy. 191), y gwnaed diwygiadau perthnasol iddo gan O.S. 2002/2802 (Cy. 270).

Status: This is the original version (as it was originally made).

- (i) yn ymarferydd cyffredinol cymwys yn unol â pharagraff 22 o Atodlen 8 i Orchymyn Ymarfer Meddygol Cyffredinol ac Arbenigol (Addysg, Hyfforddiant a Chymwysterau) 2003, os cafodd y cais ei wneud yn ystod y cyfnod trosiannol a nodir ym mharagraff 21 o Atodlen 8 i'r Gorchymyn hwnnw, neu
 - (ii) wedi cael cynnwys ei enw yn y Gofrestr o Ymarferwyr Cyffredinol a gedwir gan y Cyngor Meddygol Cyffredinol yn unol ag erthygl 10(1) o'r Gorchymyn hwnnw, ac”;
- (b) yn rheoliad 6(2) (rhesymau dros wrthod), yn lle is-baragraff (ch) rhodder—
- “(ch) os nad yw'n fodlon bod y meddyg—
- (i) yn ymarferydd cyffredinol cymwys yn unol â pharagraff 22 o Atodlen 8 i Orchymyn Ymarfer Meddygol Cyffredinol ac Arbenigol (Addysg, Hyfforddiant a Chymwysterau) 2003, os yw'r Awdurdod Iechyd neu'r Bwrdd Iechyd Lleol yn penderfynu'r cais yn ystod y cyfnod trosiannol a nodir ym mharagraff 21 o Atodlen 8 i'r Gorchymyn hwnnw, neu
 - (ii) wedi cael cynnwys ei enw yn y Gofrestr o Ymarferwyr Cyffredinol a gedwir gan y Cyngor Meddygol Cyffredinol yn unol ag erthygl 10(1) o'r Gorchymyn hwnnw, a”.

PART 2 REVOCATIONS

Instrument revoked	References	Extent of revocation
National Health Service (Vocational Training for General Medical Practice) Regulations 1997	S.I.1997/2817	The whole Regulations
National Health Service (Vocational Training for General Medical Practice) Amendment Regulations 1998	S.I. 1998/669	The whole Regulations
National Health Service (Vocational Training for General Medical Practice) (Scotland) Regulations 1998	S.I. 1998/5	The whole Regulations
National Health Service (Vocational Training for General Medical Practice) (Scotland) Amendment Regulations 2000	S.S.I. 2000/23	The whole Regulations
Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1998	S.R. 1998 No.13	The whole Regulations
Vocational Training for General Medical Practice	S.I. 1994/3130	The whole Regulations

Instrument revoked	References	Extent of revocation
(European Requirements) Regulations 1994		
European Specialist Medical Qualifications Order 1995	S.I. 1995/3208	The whole Order
European Specialist Medical Qualifications Amendment Regulations 1997	S.I. 1997/2928	The whole Regulations
European Specialist Medical Qualifications Amendment Regulations 1999	S.I. 1999/1373	The whole Regulations
European Specialist Medical Qualifications Amendment (No.2) Regulations 1999	S.I. 1999/3154	The whole Regulations
European Specialist Medical Qualifications Amendment Regulations 2002	S.I. 2002/849	The whole Regulations
National Health Service (England) (Pilot Schemes: Miscellaneous Provisions and Consequential Amendments) Amendment Regulations 2002	S.I. 2002/543	The whole Regulations
The National Health Service (General Medical Services Supplementary List) (Amendment) Regulations 2002	S.I. 2002/848	The whole Regulations