
STATUTORY INSTRUMENTS

2007 No. 3101

**The European Qualifications (Health and
Social Care Professions) Regulations 2007**

PART 2

MEDICAL PRACTITIONERS: MEDICAL ACT 1983

Insertion of Schedule 4A

36. After Schedule 4 insert—

“SCHEDULE 4A

Section 49B

**DIRECTIVE 2005/36: FUNCTIONS OF THE
GENERAL COUNCIL UNDER SECTION 49B(3)**

<i>Provision of Directive</i>	<i>Function of General Council</i>
Article 7(2)(b)	Issuing certificates containing attestations in relation to persons established, in the United Kingdom, as medical practitioners.
Article 8(1)	Receiving information from, or providing information to, other competent authorities in relation to— <ul style="list-style-type: none">(a) the legality of a person's establishment as a medical practitioner;(b) the good conduct of such a person;(c) the absence of any disciplinary or criminal sanctions of a professional nature against such a person.
Article 8(2)	Receiving information from, or providing information to, other competent authorities in connection with the investigation of complaints made against persons providing medical services.
Article 23(1)	Issuing certificates of effective and lawful practice in the United Kingdom to medical practitioners.
Article 23(6)	Issuing certificates stating that medical qualifications awarded in the United Kingdom, which do not correspond to the titles set out in respect of the United Kingdom at point 5.1.1 of Annex V to the Directive, certify successful completion of basic medical training that is in accordance with article 24 of the Directive.

- Article 50(1) and paragraph 1(b) of Annex VII Providing information to other competent authorities concerning the training in the United Kingdom of a medical practitioner to whom Chapter 1 of Part 3 of the General Systems Regulations applies.
- Article 50(1) and paragraph 1(d) of Annex VII Issuing, in respect of practice as a medical practitioner, the certificates of current professional status referred to in sub-paragraph (d) of paragraph 1 of Annex VII to the Directive within the time limits set by that sub-paragraph.
- Article 50(1) and paragraph 1(e) of Annex VII Issuing, in respect of practice as a medical practitioner, the certificates of good health referred to in sub-paragraph (e) of paragraph 1 of Annex VII to the Directive within the time limits set by that sub-paragraph.
- Article 50(1) and paragraph 2 of Annex VII Issuing certificates stating that primary United Kingdom qualifications are qualifications covered by the Directive.
- Article 50(2) In cases of justified doubts—
- (a) requiring confirmation of the authenticity of non-UK medical qualifications;
 - (b) requiring confirmation that holders of non-UK medical qualifications satisfy the minimum training conditions set out in article 24 of the Directive;
 - (c) providing confirmation to competent authorities of other relevant European States of the authenticity of any person's primary United Kingdom qualification;
 - (d) providing confirmation that holders of primary United Kingdom qualifications satisfy the minimum training conditions set out in article 24 of the Directive.
- Article 50(3) In cases of justified doubts—
- (a) verifying information provided in connection with non-UK medical qualifications awarded following training in a relevant European State other than the State in which the qualification was awarded;
 - (b) providing information in connection with a person's primary United Kingdom qualification awarded following training in another relevant European State.
- Article 56(1) Ensuring the confidentiality of information exchanged with other competent authorities.
- Article 56(2) Receiving information from, or providing information to, other competent authorities regarding disciplinary action, criminal sanctions or other serious circumstances likely to have consequences for practice as a medical practitioner.

Where such information is received by the General Council—

- (a) examining the veracity of the circumstances;
 - (b) deciding the nature and scope of any investigations that need to be carried out;
 - (c) informing other competent authorities of the General Council's conclusions.”
-

Changes to legislation:

There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) Regulations 2007, Section 36.