

SCHEDULES

SCHEDULE 1

Emergency Registered Practitioners

Modification of regulation 14: removal of emergency registered practitioners

4.—(1) The grounds in regulation 14 for the removal by [F1NHS England] of a Practitioner from its performers list apply in respect of the removal of an emergency registered practitioner from its medical performers list as if—

- (a) paragraph (2); and
- (b) paragraphs (5) to (11),

were omitted.

(2) In addition to the grounds specified in regulation 14(1), [F1NHS England] must remove an emergency registered practitioner from the medical performers list where the emergency registered practitioner—

- (a) has not, on request, provided evidence to [F1NHS England] that the certificate referred to in paragraph 2(2)(c) has been applied for (despite the undertaking to apply for the certificate); or

(b) has not provided that certificate to [F1NHS England] (despite the undertaking to provide it), within the period specified in paragraph 2(2)(c).

(3) [F1NHS England] may also remove an emergency registered practitioner from the medical performers list where it considers such removal to be justified, after having checked—

- (a) as far as reasonably practicable, the information provided with the application, in particular any information provided under regulation 4(5) or (7);
- (b) with the [F2NHS Counter Fraud Authority] for relevant information relating to past or current fraud investigations involving or relating to the emergency registered practitioner and having considered these and any other facts in its possession relating to fraud involving or relating to the emergency registered practitioner; or
- (c) with the Secretary of State for any relevant information relating to past or current investigations or proceedings involving or relating to the emergency registered practitioner and having considered any other facts in its possession involving or related to the emergency registered practitioner.

(4) The Authority referred to in sub-paragraph (3)(b) or the Secretary of State must, in response to a request from [F1NHS England], supply to [F1NHS England] any information the Authority or the Secretary of State consider relevant for the purposes of sub-paragraph (3)(b) or, as the case may be, (3)(c).

Textual Amendments

- F1** Words in Instrument substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\)](#), reg. 1(1), **Sch. para. 1**

Changes to legislation: There are currently no known outstanding effects for the The National Health Service (Performers Lists) (England) Regulations 2013, Paragraph 4. (See end of Document for details)

F2 Words in Sch. 1 para. 4(3)(b) substituted (1.11.2017) by The NHS Counter Fraud Authority (Investigatory Powers and Other Miscellaneous Amendments) Order 2017 (S.I. 2017/960), arts. 1(1), **4(4)(i)**

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Performers Lists) (England) Regulations 2013, Paragraph 4.