
STATUTORY INSTRUMENTS

2013 No. 391

The Medical Profession (Responsible Officers) (Amendment) Regulations 2013

Amendments to Part 3 (additional responsibilities of responsible officers: England)

- 4.—(1) Part 3 of the 2010 Regulations is amended as follows.
- (2) In regulation 16 (additional responsibilities of responsible officers: prescribed connection under regulation 10)—
- (a) after paragraph (2)(a) insert—
- “(aa) ensure that medical practitioners have sufficient knowledge of the English language necessary for the work to be performed in a safe and competent manner;”;
- (b) for paragraph 2(d) substitute—
- “(d) where the designated body is the Board, manage admission to the medical performers list in accordance with the National Health Service (Performers Lists) Regulations 2013(1);”.
- (3) In regulation 18 (duty to have regard to guidance) for paragraph (b) substitute—
- “(b) guidance given by the National Clinical Assessment Service division of the National Health Service Litigation Authority(2), to the extent that it relates to the nomination or appointment of responsible officers or their prescribed responsibilities; and
- (c) guidance given by the Board to the extent that it relates to the responsible officer’s duties under regulation 16(2)(aa).”.
- (4) In regulation 19 (provision of resources to responsible officers) in the first line of paragraph (1) after “its responsible officer” insert “or responsible officers (as the case may be)”.

(1) Regulation 2(1) of [S.I. 2013/335](#) defines a “medical performers list” as a list of medical practitioners prepared and maintained by the Board and published pursuant to regulation 1(3)(a) of those Regulations.

(2) The Secretary of State issued directions ([SI 2012/476](#)) to the National Institute for Health and Clinical Excellence (NICE) on 1st April 2012, under sections 7 and 8 of the National Health Service Act 2006 (c. 41) to carry out functions relating to the National Clinical Assessment Service (the NCAS function). NICE is being abolished as a Special Health Authority on 1st April 2013 and the National Health Service Litigation Authority (NHSLA) will be directed by the Secretary of State to carry out the NCAS function from that date; the NHSLA was established as a Special Health Authority by article 2 of the National Health Service Litigation Authority (Establishment and Constitution Order) 1995 ([S.I. 1995/2800](#)).