
Changes to legislation: Medical Act 1983, Part III is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

THE GENERAL MEDICAL COUNCIL AND ITS COMMITTEES, AND THE BRANCH COUNCILS

PART III

COMMITTEES OF THE GENERAL MEDICAL COUNCIL

F1 ...

.....

Textual Amendments

F1 Sch. 1 para. 19 and cross-heading omitted (1.1.2009) by virtue of [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 5(3)**

19

F2 ...

.....

Textual Amendments

F2 Sch. 1 paras. 19A, 19E and cross-headings omitted (31.12.2015) by virtue of [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **3(2)**; S.I. 2015/1952, art. 2(b)

^{F2}19A

[^{F3}Registration Panels]

.....

Textual Amendments

F3 Words in Sch. 1 para. 19B heading substituted (19.7.2006 for specified purposes, 19.10.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **3(1)(b)**

19B Subject to the power of the Panel under paragraph 25 below to co-opt members, a [^{F4}Registration Panel] shall be constituted as provided by rules made under this paragraph by the General Council.

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Textual Amendments

- F4** Words in Sch. 1 para. 19B substituted (19.7.2006 for specified purposes, 19.10.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **3(2)(b)**

Registration Appeals Panels

- 19C Subject to the restrictions on membership specified in paragraph 23 below and to the power of the Panel under paragraph 25 below to co-opt members, a Registration Appeals Panel shall be constituted as provided by rules made under this paragraph by the General Council.

Investigation Committee

- 19D Subject to the power of the Committee under paragraph 25 below to co-opt members, the Investigation Committee shall be constituted as provided by rules made under this paragraph by the General Council.

^{F2} ...

- ^{F2}19E

^{F5}Medical Practitioners Tribunal Service

Textual Amendments

- F5** Sch. 1 para. 19F inserted (3.8.2015) by [The General Medical Council \(Fitness to Practise and Overarching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **2(4)**; S.I. 2015/1579, art. 2(a)

- 19F. (1) The MPTS are to be constituted as provided by rules made under this paragraph by the General Council.
- (2) Rules under this paragraph must secure that only persons who are not members of the General Council are to be members of the MPTS.
- (3) Rules under this paragraph must include provision with regard to—
- (a) the numbers of registrant members and lay members of the MPTS;
 - (b) (subject to sub-paragraph (6)) the appointment of members of the MPTS and the terms of office for which members are appointed, and the rules may provide that these are to be determined by whoever makes the appointment as member, on appointment;
 - (c) the grounds (in addition to that mentioned in sub-paragraph (2)) on which a person is to be disqualified from appointment as a registrant or lay member of the MPTS;
 - (d) (subject to sub-paragraph (6)) the appointment of a chair of the MPTS and the chair's term of office, and the rules may provide that the term is to be determined by whoever makes the appointment as chair, on appointment;
 - (e) deputising arrangements in respect of the chair;

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- (f) the quorum at meetings of the MPTS;
 - (g) the circumstances in which a member of the MPTS ceases to hold office or may be removed or suspended from office.
- (4) Provision by virtue of sub-paragraph (3)(a) must secure that the registrant members of the MPTS do not form a majority of the members.
- (5) The chair of the MPTS is, by virtue of being appointed as such, an officer of the General Council.
- (6) Where, immediately before the commencement of this paragraph, a committee of the General Council constituted under paragraph 25 have been carrying out functions relating to fitness to practise proceedings, the General Council—
- (a) may appoint as the chair of the MPTS, for such period as the Council may determine, the person who, immediately before the commencement of this paragraph, was the chair of that committee, and
 - (b) may appoint as a member of the MPTS other than the chair, for such period as the Council may determine, a person who, immediately before the commencement of this paragraph, was a member of that committee.
- (7) Rules under this paragraph may include provision for enabling the General Council to direct the MPTS to delegate to the chair of the MPTS, or to such other officer of the Council as the Council determine, such of the functions of the MPTS as the Council determine (and for enabling the MPTS so to delegate).
- (8) Rules under this paragraph may include provision with regard to criteria which a person must satisfy (whether in relation to qualifications, experience, competencies or other matters) in order to be eligible for appointment as chair or as another member of the MPTS; and the rules may, in particular, require the General Council to set and publish those criteria.
- (9) Rules under this paragraph may include provision with regard to—
- (a) the maximum period for which a member of the MPTS may hold office during a specified period;
 - (b) the maximum period for which a member of the MPTS may serve as chair of the MPTS during a specified period;
 - (c) the education and training of members of the MPTS, and the rules may provide for the General Council to include the requirements with regard to education and training of members of the MPTS in standing orders, and for those standing orders to provide for—
 - (i) the education and training to be the responsibility of another body, and
 - (ii) those requirements to be set and varied by that body from time to time;
 - (d) the attendance of members of the MPTS at meetings of the MPTS;
 - (e) the effect (if any) of any vacancy in the membership of the MPTS or any defect in the appointment of a member.
- (10) The MPTS must maintain a system for the declaration and registration of private interests of their members.
- (11) The MPTS must publish in such manner as they see fit entries recorded in the register of members' private interests.

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- (12) In this paragraph, “registrant member” and “lay member” each have the same meaning as in paragraph 1A.
- (13) Rules under this paragraph may make different provision for different cases or different classes of case and may contain such incidental, consequential, transitional, transitory, saving or supplementary provisions as appear to the General Council to be necessary or expedient.]

[^{F6}Medical Practitioners Tribunals and Interim Orders Tribunals

Textual Amendments

F6 Sch. 1 para. 19G inserted (3.8.2015) by [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **3(3)**; [S.I. 2015/1579](#), art. 2(b)

- 19G. (1) Medical Practitioners Tribunals and Interim Orders Tribunals are to be constituted as provided by rules made under this paragraph by the General Council.
- (2) Rules under this paragraph must include provision with regard to—
- (a) the appointment by the MPTS of persons to—
 - (i) a list of persons eligible to serve as the chair of a Medical Practitioners Tribunal or Interim Orders Tribunal;
 - (ii) a list of persons eligible to serve as a registrant member of either such Tribunal;
 - (iii) a list of persons eligible to serve as a lay member of either such Tribunal;
 - (b) the determination by the MPTS of the terms on which a person holds a position on a list referred to in paragraph (a) (a “panel list”) and of the grounds on which the MPTS may suspend or remove a person from holding a position on a panel list;
 - (c) the selection by the MPTS of persons who are on a panel list to serve as the chair and the other members of a Medical Practitioners Tribunal or Interim Orders Tribunal;
 - (d) the quorum for a Medical Practitioners Tribunal or Interim Orders Tribunal.
- (3) A person appointed to a panel list within sub-paragraph (2)(a)(ii) or (iii) may also be appointed to a panel list within sub-paragraph (2)(a)(i).
- (4) Rules under this paragraph must secure that—
- (a) only a person who is not a member of the General Council, the Investigation Committee, a Registration Panel or a Registration Appeals Panel, or who is not an officer of the General Council, may be appointed to a panel list;
 - (b) a person who serves as a member of an Interim Orders Tribunal, or as a member of a Medical Practitioners Tribunal in arrangements made under section 41A(A1), may not serve as a member of a Medical Practitioners Tribunal in any subsequent proceedings in the case concerned.
- (5) Rules under this paragraph may provide for a person to be appointed to a panel list either generally or only for particular proceedings or a particular class of proceedings.

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- (6) Rules under this paragraph must provide that a person appointed to a panel list holds and ceases to hold a position on the list in accordance with the terms of that person’s appointment.
- (7) Rules under this paragraph may include provision with regard to criteria which a person must satisfy (whether in relation to qualifications, experience, competencies or other matters) in order to be eligible for appointment to a panel list or for selection to serve as the chair of a Medical Practitioners Tribunal or Interim Orders Tribunal; and the rules may, in particular, require the MPTS to set and publish those criteria.
- (8) Rules under this paragraph may also make provision for a body (including a committee of the General Council which is not one of the statutory committees) to assist the MPTS in connection with the exercise of functions conferred on the MPTS by virtue of sub-paragraph (2)(a) or (b).
- (9) The MPTS must provide or arrange for the provision of—
 - (a) such training as they may determine for persons appointed to a panel list;
 - (b) such training as they may determine for persons whom they propose to appoint to a panel list.
- (10) Rules under this paragraph may include provision with regard to the effect (if any) of any defect in the appointment of a person to a panel list or in the selection of a person to serve as the chair or another member of a Medical Practitioners Tribunal or an Interim Orders Tribunal.
- (11) The MPTS must maintain a system for the declaration and registration of private interests of persons appointed to a panel list.
- (12) The MPTS must publish in such manner as they see fit entries recorded in the register of appointees’ private interests.
- (13) There are to be paid to persons appointed to a panel list such remuneration and such travelling, subsistence or other expenses as the General Council may allow.
- (14) In this paragraph, “registrant member” and “lay member” each have the same meaning as in paragraph 1A.
- (15) Rules under this paragraph may make different provision for different cases or different classes of case and may contain such incidental, consequential, transitional, transitory, saving or supplementary provisions as appear to the General Council to be necessary or expedient.]

Supplementary

23

- Rules under [F7 paragraph 19C] above shall secure that—
- (a) only persons who are not members of the General Council shall be members of F8...a Registration Appeals PanelF8...
 - F9(b); and
 - (c) a person who is a member of the Investigation Committee or a [F10Registration Panel] may not at the same time be a member of F8... a Registration Appeals PanelF8....

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Textual Amendments

- F7** Words in Sch. 1 para. 23 substituted (31.12.2015) by [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **4(1)(a)**; S.I. 2015/1952, art. 2(c)
- F8** Words in Sch. 1 para. 23(a)(c) omitted (31.12.2015) by virtue of [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **4(1)(b)**; S.I. 2015/1952, art. 2(c)
- F9** Sch. 1 para. 23(b) omitted (31.12.2015) by virtue of [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **4(1)(c)**; S.I. 2015/1952, art. 2(c)
- F10** Words in Sch. 1 para. 23(c) substituted (19.7.2006 for specified purposes, 19.10.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), art. 1(2)(b)(c)(3), **3(2)(b)**

23B Rules under paragraph [^{F11}19B, 19C or 19D] above may make provision as to quorum.

Textual Amendments

- F11** Words in Sch. 1 para. 23B substituted (31.12.2015) by [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **4(2)**; S.I. 2015/1952, art. 2(c)

[^{F12}23C. Rules under any of the paragraphs mentioned in paragraph 23B [^{F13}or under paragraph 19F] may also make provision for a body (including a committee of the General Council which is not one of the statutory committees) to assist the General Council in connection with the exercise of any function relating to the appointment of members or particular members of any of the panels or the committee to which those paragraphs relate, including any function relating to tenure of office or suspension or removal from office.]

Textual Amendments

- F12** Sch. 1 para. 23C inserted (1.1.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(5), **Sch. 1 para. 21(8)**; S.I. 2008/2556, art. 2(2)(a)(i)
- F13** Words in Sch. 1 para. 23C inserted (3.8.2015) by [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **4(3)**; S.I. 2015/1579, art. 2(c) (with art. 3)

[^{F14}23D. The overriding objective of the General Council in exercising the power to make rules under paragraph 19F or 19G is to secure that Medical Practitioners Tribunals and Interim Orders Tribunals deal with cases fairly and justly][^{F15}; and where the General Council consider that there is a conflict between meeting the objective under this paragraph and the over-arching objective, they must give priority to meeting the objective under this paragraph.]

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Textual Amendments

- F14** Sch. 1 para. 23D inserted (3.8.2015) by [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **4(4)**; [S.I. 2015/1579](#), art. 2(c) (with art. 3)
- F15** Words in Sch. 1 para. 23D inserted (3.8.2015) by [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **21(7)** (with art. 1(4)); [S.I. 2015/1579](#), art. 2(l)

- 24 Rules under paragraph ^{F16}19B, 19C, 19D, 19F or 19G] above shall not come into force until approved by order of the Privy Council.

Textual Amendments

- F16** Words in Sch. 1 para. 24 substituted (3.8.2015) by [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **4(5)**; [S.I. 2015/1579](#), art. 2(c) (with art. 3)

- 25 (1) Without prejudice to the preceding provisions of this Part of this Schedule the General Council may constitute ^{F17}... one or more committees.

^{F18}(1A) Any committee of the General Council may consist of or include persons who are not members of the Council.]

^{F19}(2) [^{F20}Subject to and in accordance with [^{F21}paragraphs 19B, 19C, 19D, 19F, 19G and 23] above,] a Committee of the General Council may, if authorised to do so by the General Council, co-opt such persons (whether or not members of the Council) as the Committee think fit.]

(3) The General Council may delegate to any committee of the Council [^{F22}(other than the MPTS or a Medical Practitioners Tribunal or Interim Orders Tribunal)] such of the Council's functions as they think fit^{F23}....

^{F24}(4) Except where rules made [^{F25}under paragraph 19F(3)(f) or 19G(2)(d) or] by virtue of paragraph 23B above make provision as to quorum in the case of any of the statutory committees, the quorum of a committee of the General Council shall be such as the Council may from time to time determine.

(5) There shall be paid to the members of the committees of the General Council such remuneration and such travelling, subsistence or other expenses as the Council may allow.]

Textual Amendments

- F17** Words in Sch. 1 para. 25(1) omitted (1.7.2003 as notified in the London Gazette dated 1.7.2003) by virtue of [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(a)** (with Sch. 2)
- F18** Sch. 1 para. 25(1A) inserted (1.7.2003 as notified in the London Gazette dated 1.7.2003) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(b)** (with Sch. 2)
- F19** Sch. 1 para. 25(2) substituted (3.8.2000) by [S.I. 2000/1803](#), **art. 15(f)**
- F20** Words in Sch. 1 para. 25(2) inserted (7.7.2004 as notified in the London Gazette dated 2.7.2004) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(c)** (with Sch. 2)

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- F21** Words in Sch. 1 para. 25(2) substituted (31.12.2015) by [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **4(6)**; S.I. 2015/1952, art. 2(c)
- F22** Words in Sch. 1 para. 25(3) inserted (31.12.2015) by [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **4(7)**; S.I. 2015/1952, art. 2(c)
- F23** Words in Sch. 1 para. 25(3) omitted (1.1.2009) by virtue of [The Medical Profession \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/3131\)](#), art. 1(3), **Sch. 1 para. 5(4)**
- F24** Sch. 1 para. 25(4)(5) substituted for Sch. 1 para. 25(4) (1.7.2003 in so far as it relates to new para. 25(5), as notified in the London Gazette dated 1.7.2003, 1.11.2004 in so far as not already in force as notified in the London Gazette dated 8.10.2004) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **5(4)(d)** (with Sch. 2)
- F25** Words in Sch. 1 para. 25(4) inserted (31.12.2015) by [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **4(8)**; S.I. 2015/1952, art. 2(c)

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Changes and effects yet to be applied to :

- Sch. 1 para. 19E and heading repealed by 2008 c. 14 Sch. 7 para. 20(3)Sch. 15 Pt. 2
- Sch. 1 para. 19A and heading repealed by 2008 c. 14 Sch. 7 para. 20(2)Sch. 15 Pt. 2

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act words substituted by 2005 c. 4 Sch. 11 para. 6

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 29B(2A)-(2C) inserted by S.I. 2008/3131 Sch. 1 para. 9(2)
- s. 29B(2A)(a) word substituted by S.I. 2010/234 Sch. 1 para. 2
- s. 29B(3A) inserted by S.I. 2008/3131 Sch. 1 para. 9(3)
- s. 29E(1)(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 12(2)(b)
- s. 29E(2)(e)(f) inserted by S.I. 2008/3131 Sch. 1 para. 12(3)(b)
- s. 29F(1)(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 14(3)
- s. 35C(2)(f)(g) inserted by S.I. 2008/1774 Sch. 1 para. 15 (This amendment not applied to legislation.gov.uk. It was due to come into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47), see art. 1(4). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 35ZA inserted by 2008 c. 14 Sch. 7 para. 4
- Sch. 3B para. 5(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 19(2)(b)
- Sch. 3B para. 6(1)(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 19(3)(a)(ii)
- Sch. 3B para. 6(2)(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 19(3)(b)(ii)
- Sch. 3B para. 7(1)(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 19(4)(a)(ii)
- Sch. 3B para. 7(2)(c) and word inserted by S.I. 2008/3131 Sch. 1 para. 19(4)(b)(ii)