

SCHEDULE 3

Transitional provisions

Applicants for registration or restoration who are subject to directions given under the principal Order

4.—(1) Where the Statutory Committee has given a direction in relation to a case falling within Article 20(5) of the principal Order, prior to the coming into operation of this Order, if the person in respect of whom the direction was given, (“the person concerned”) makes or before the appointed day has made, a further application for registration—

- (a) the application shall be determined by the registrar, even if it has already been referred to the Statutory Committee; and
- (b) the registrar shall determine the application in accordance with the provisions of Part III of the principal Order, except that the application may not be granted unless—
 - (i) if the Statutory Committee has given a direction that an application for registration from the person concerned shall not be entertained until the expiration of a specified period, that period has expired,
 - (ii) if the Statutory Committee has given a direction that an application for registration from the person concerned shall not be entertained until specified conditions have been fulfilled, those conditions have been fulfilled, and
 - (iii) the Statutory Committee has been consulted and it has advised the registrar that the person concerned’s fitness to practise is not or is no longer impaired.

(2) Where the Statutory Committee has given a direction in relation to a case falling within Article 20(4) or (6) of the principal Order, prior to the coming into operation of this Order, if the person in respect of whom the direction was given (“the person concerned”) makes or before the appointed day has made an application (or in relation to a case falling within Article 20(6) a further application) for restoration to the registrar—

- (a) the application shall be referred by the registrar to the Statutory Committee; and
- (b) the Statutory Committee shall dispose of the case in accordance with the new provisions except that—
 - (i) if it is the first application that the person concerned has made which is to be disposed of in accordance with the new provisions, paragraph 9(2) of Schedule 3 to the principal Order, as it has effect after the appointed day, shall not apply, but if the Statutory Committee has given a direction that an application for restoration from the person concerned shall not be entertained until the expiration of a specified period, that period must have expired, and
 - (ii) if the Statutory Committee has given a direction that an application for restoration from the person concerned shall not be entertained until specified conditions have been fulfilled, those conditions must have been fulfilled.