

## SCHEDULE 1

Regulation 6(1)

### INFORMATION, DECLARATIONS AND UNDERTAKINGS TO BE INCLUDED IN AN APPLICATION FOR INCLUSION IN A PRIMARY MEDICAL SERVICES PERFORMERS LIST

1. An application shall contain the following information –
  - (a) the applicant's full name, sex, date of birth and private address and telephone number;
  - (b) a full description of the applicant's medical qualifications including the institution which awarded them;
  - (c) the applicant's professional registration number and date of first registration in both registers;
  - (d) chronological details of the applicant's professional experience (including the starting and finishing dates of each appointment together with explanation of any gaps between appointments) with any additional supporting particulars, and an explanation of why the applicant was dismissed from any post;
  - (e) in relation to the applicant's professional experience provided under (d), the applicant shall separate that information into –
    - (i) general practice experience;
    - (ii) hospital appointments; and
    - (iii) other experience,with full supporting particulars of that experience;
  - (f) details of any list or equivalent list from which the applicant has ever been disqualified, conditionally disqualified, removed or suspended or to which admission was refused together with reasons for disqualification, conditional disqualification, removal, suspension or refusal;
  - (g) name and addresses of two referees who are willing to provide clinical references relating to two recent posts as a medical practitioner which lasted at least 3 months without a significant break and which may include a current post, or, where this is not possible, a full explanation and name and address of an alternative referee or referees;
  - (h) evidence that the applicant has a knowledge of English which, in the interests of the applicant and of patients who may receive primary medical services from the applicant, is necessary for performing primary medical services;
  - (i) whether the applicant is a provider of primary medical services;
  - (j) if the applicant is a provider of primary medical services, whether the applicant is a provider under more than one arrangement, agreement or contract to provide primary medical services and, if so, details of the other arrangement, agreement or contract;
  - (k) if the applicant is the director or one of the persons with control of a corporate body, the name and registered office of that body;
  - (l) if the applicant is an armed forces GP, that he is one;
  - (m) if the applicant is a GP Registrar, the name and address of the GP Trainer.
2. An application shall contain the following declarations as to whether or not the applicant –
  - (a) is a medical practitioner included in both registers;
  - (b) if the applicant is a GP Registrar, and is not a fully registered medical practitioner included in the register of medical practitioners, that the applicant is registered in that register with

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- limited registration, with details of the limits of that registration, as defined in the direction by virtue of which the applicant is registered;
- (c) has been convicted of a criminal offence in the United Kingdom;
  - (d) has been convicted elsewhere of an offence which would constitute a criminal offence if committed in Northern Ireland;
  - (e) is currently the subject of any proceedings which might lead to a conviction specified in sub-paragraph (c) or (d);
  - (f) has, in summary proceedings in Scotland in respect of an offence, been the subject of an order discharging the applicant absolutely (without proceeding to conviction);
  - (g) has accepted and agreed to pay a penalty under section 109A of the Social Security Administration (Northern Ireland) Act 1992<sup>(1)</sup>, a penalty under section 115A of the Social Security Administration Act 1992<sup>(2)</sup> or a procurator fiscal fine under section 302 of the Criminal Procedure (Scotland) Act 1995<sup>(3)</sup>;
  - (h) has accepted a police caution in the United Kingdom;
  - (i) has been bound over following a criminal conviction in the United Kingdom;
  - (j) has been subject to any investigation into the applicant's professional conduct by any licensing, regulatory or other body where the outcome was adverse;
  - (k) is currently subject to any investigation into the applicant's professional conduct by any licensing, regulatory or other body;
  - (l) is the subject of any investigation or proceedings by another Board or equivalent body which might result in the applicant being disqualified, conditionally disqualified, removed or suspended from a list, or equivalent list;
  - (m) is, or has been, where the outcome was adverse, the subject of any investigation into the applicant's professional conduct in respect of any previous or current employment;
  - (n) is, or has in the preceding 6 months been, or was at the time of the events that gave rise to conviction, proceedings or investigation, a director or one of the body of persons with control of a body corporate which –
    - (i) has been convicted of a criminal offence in the United Kingdom;
    - (ii) has been convicted elsewhere of an offence which would constitute a criminal offence if committed in Northern Ireland;
    - (iii) is currently the subject of any proceedings which might lead to such a conviction; or
    - (iv) has been subject to any investigation into its provision of professional services by any licensing, regulatory or other body;
  - (o) that the applicant consents to a request being made by the Board to any employer or former employer, licensing, regulatory or other body in the United Kingdom or elsewhere, for information relating to a current investigation, or an investigation where the outcome was adverse, into the applicant or a body corporate referred to in this paragraph and, for the purposes of this sub-paragraph, "employer" includes any partnership of which the applicant is or was a member.
3. An application shall include the following undertakings –
- (a) that the performer will participate in appropriate and relevant appraisal procedures;
  - (b) that the performer will notify the Board in writing within 7 days of its occurrence if the performer –

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(1) 1992 c. 8. Section 109A was inserted by Article 14 of S.I. 1997/1182 (N.I. 11)

(2) 1992 c. 5. Section 115A was inserted by section 15 of the Social Security Administration (Fraud) Act 1997 (c. 47)

(3) 1995 c. 46

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- (i) is charged in the United Kingdom with a criminal offence, or is charged elsewhere with an offence which, if committed in Northern Ireland, would constitute a criminal offence;
- (ii) is convicted of a criminal offence in the United Kingdom;
- (iii) is convicted elsewhere of an offence which would constitute a criminal offence if committed in Northern Ireland;
- (iv) has, in summary proceedings in Scotland in respect of an offence, been the subject of an order discharging the performer absolutely (without proceeding to conviction);
- (v) has accepted and agreed to pay a penalty under section 109A of the Social Security Administration (Northern Ireland) Act 1992, a penalty under section 115A of the Social Security Administration Act 1992 or a procurator fiscal fine under section 302 of the Criminal Procedure (Scotland) Act 1995;
- (vi) has accepted a police caution in the United Kingdom;
- (vii) is bound over following a criminal conviction in the United Kingdom;
- (viii) becomes the subject of any investigation into the performer's professional conduct by any licensing, regulatory or other body;
- (ix) is informed by any licensing, regulatory or other body of the outcome of any investigation into the performer's professional conduct, and there is a finding against the performer;
- (x) becomes the subject of any investigation or proceedings by another Board or equivalent body, which might result in the performer being disqualified, conditionally disqualified, removed or suspended from a list, or equivalent list;
- (xi) is disqualified, conditionally disqualified, removed or suspended from or refused admission to any list or equivalent list;
- (xii) is, was in the preceding 6 months, or was at the time of the events that gave rise to the charge, conviction or investigation, a director or one of the persons with control of a body corporate and that body corporate –
  - (aa) is charged in the United Kingdom with a criminal offence, or is charged elsewhere with an offence which, if committed in Northern Ireland, would constitute a criminal offence;
  - (bb) is convicted of a criminal offence in the United Kingdom;
  - (cc) is convicted elsewhere of an offence which, if committed in Northern Ireland, would constitute a criminal offence;
  - (dd) becomes the subject of any investigation into its provision of professional services by any licensing, regulatory or other body; or
  - (ee) is informed by any licensing, regulatory or other body of the outcome of any investigation into its provision of professional services, and there is a finding against it,together with details of the occurrence, including approximate dates, and where any investigation or proceedings were or are to be brought, the nature of that investigation or proceedings, and any outcome;
- (c) if the performer is a provider of primary medical services under a general medical services contract, to comply with the requirements of paragraph 116 (gifts) of Schedule 5 (other contractual terms) to the General Medical Services Contracts Regulations;
- (d) if the performer is not a provider of primary medical services but performs primary medical services in accordance with a general medical services contract, to comply with

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- the requirements of paragraph 116 (Gifts) of Schedule 5 (Other contractual terms) to the General Medical Services Contracts Regulations as though the performer were a provider of primary medical services;
- (e) if the performer is a GP Registrar, unless the performer has an acquired right under regulation 5(1)(d) of the Vocational Training for General Medical Practice (European Requirements) Regulations 1994(4), that the performer will –
- (i) not perform primary medical services except when acting for, and under the supervision of, the performer’s GP Trainer;
  - (ii) withdraw from the primary medical services performers list if any of the events in paragraph 4 takes place;
  - (iii) until the coming into operation of Article 10 of the 2003 Order apply for a certificate of prescribed experience under regulation 10 of the Vocational Training Regulations or a certificate of equivalent experience under regulation 12 of those regulations as soon as the performer is eligible to do so, and provide the Board with a copy of any such certificate; and
  - (iv) after the coming into operation of Article 10 of the 2003 Order, provide the Board with evidence of the performer’s inclusion in the GP Register;
- (f) that the performer shall consent to a request being made by the Board to any employer or former employer, licensing, regulatory or other body in the United Kingdom or elsewhere, for information relating to a current investigation, or an investigation where the outcome was adverse, into the applicant or a body corporate referred to in this paragraph and, for the purposes of this sub-paragraph, “employer” includes any partnership of which the applicant is or was a member.
4. The events to which this paragraph applies are –
- (a) the conclusion of any period of training prescribed by regulation 6(3) of the Vocational Training Regulations or after the coming into operation of Articles 4 and 5 of the 2003 Order, any period of general practice training required pursuant to those Articles, unless –
- (i) it forms part of a vocational training scheme which has not yet been concluded;
  - (ii) the GP Registrar provides the Board with –
    - (aa) a certificate of prescribed experience under regulation 10 of the Vocational Training Regulations;
    - (bb) a certificate of equivalent experience under regulation 12 of those Regulations; or
    - (cc) after the coming into operation of Article 10 of the 2003 Order, evidence of the applicants inclusion in the GP Register;
  - (iii) the failure satisfactorily to complete any period of training within the meaning of regulation 9 of the Vocational Training Regulations or after the coming into operation of Articles 4 and 5 of the 2003 Order, of general practice training within the meaning of those Articles; and
  - (iv) the completion of a vocational training scheme, unless the GP Registrar provides the Board with –
    - (aa) a certificate of prescribed experience under regulation 10 of the Vocational Training Regulations;
    - (bb) a certificate of equivalent experience under regulation 12 of those regulations; or

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(4) [S.I.1994/3130](#); relevant amending instrument is [S.I. 1998/669](#)

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(cc) after the coming into operation of Article 10 of the 2003 Order, evidence of the GP Registrar's inclusion in the GP Register.