
 STATUTORY INSTRUMENTS

1979 No. 289

MEDICAL PROFESSION

The Irish Republic (Termination of 1927 Agreement) Order 1979

Made - - - - 14th March 1979
Laid before Parliament 22nd March 1979
Coming into Operation 30th April 1979

At the Court at Buckingham Palace, the 14th day of March 1979

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 4 of the Medical Act 1978(a), and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Irish Republic (Termination of 1927 Agreement) Order 1979, and shall come into operation on the 30th April 1979.

(2) In this Order “the 1927 Agreement” means the Agreement with the Republic of Ireland referred to in section 4 of the Medical Act 1978.

Repeals and modifications of enactments

2. In consequence of, or in connection with, the termination on 30th April 1979 of the 1927 Agreement—

- (a) the enactments specified in column 1 of the Schedule to this Order, to the extent specified in column 2 thereof, are hereby repealed;
- (b) on and after 30th April 1979 the words “or Ireland” in the headnote for Part II of the Medical Act 1956(b) and in column (1) of Part I of Schedule 3 thereto shall have effect as if there were substituted the words “or Northern Ireland”;
- (c) on and after 30th April 1979 Part II of Schedule 3 to the Medical Act 1956 shall have effect with the insertion after the paragraph headed “Germany” of the following paragraph—

“Republic of Ireland

A primary qualification granted in the Republic of Ireland after passing a qualifying examination held by a competent examining body and a certificate of experience granted by that body which give entitlement to registration as a fully registered medical practitioner.”;

(a) 1978 c. 12.

(b) 1956 c. 76.

- (d) in section 2(4) of the Dentists Act 1957(a), the expression “medical authority” shall be deemed, on and after 30th April 1979, to include the universities and other bodies in the Republic of Ireland which immediately before that date were entitled to choose appointed members of the General Medical Council.

Preserved rights and transitional provisions relating to registration

3.—(1) A person, other than a national of a member State of the European Communities, registered or entitled to be registered under the Medical Act 1956 immediately before this Order has effect in right of a qualification awarded in the Republic of Ireland shall not cease to be so entitled by reason only of the repeal or modification of legislation referred to in Article 2.

(2) A person who, before the 30th April 1985, is awarded a qualification in the Republic of Ireland which but for any such repeal would have entitled him to be provisionally registered under section 17 of the Medical Act 1956 and, on satisfying the requirements of Part II of that Act as to experience, to be fully registered under section 7 thereof, shall, if he applies in accordance with paragraph (3) of this Article, be eligible for such provisional registration and subsequently for such full registration as if those sections applied to his qualifications and as if section 17(4) thereof remained in force.

(3) An application for registration or provisional registration by a person to whom paragraph (1) or (2) of this Article applies shall be made to the Registrar of the General Medical Council; the application, if for provisional registration within the said paragraph (2), shall be made not later than 30th April 1986 and, if for full registration within that paragraph, not later than 30th April 1987.

Continuance in office of members of the General Medical Council

4. The members of the General Medical Council elected under the provisions of section 4(1)(c) of the Medical Act 1956 by fully registered persons resident in Ireland, and members appointed under the provisions of section 3(1) of that Act by universities or other bodies in Ireland, shall not, by reason only of the repeal or modification of any legislation referred to in Article 2, cease to be such members.

N. E. Leigh,
Clerk of the Privy Council.

SCHEDULE
ENACTMENTS REPEALED

(1) Enactment	(2) Extent of repeal
The Medical and Dentists Acts Amendment Act 1927(a) ...	Section 1 and Part I of the Schedule.
The Medical Act 1956(b) ...	<p>In section 3(1), the words “the University of Dublin, the National University of Ireland”, “the Royal College of Physicians of Ireland”, and “the Royal College of Surgeons in Ireland”.</p> <p>In section 3(2), the words “or situated in Ireland”.</p> <p>In section 4(1), paragraph (c) and the word “and” immediately preceding that paragraph.</p> <p>In section 4(2), the words “or on those resident in Ireland”.</p> <p>In section 7(1)(a), the words “or primary Irish”.</p> <p>Section 7(3).</p> <p>In section 10(2) and (4), the words “or the Republic of Ireland” and “primary Irish qualification”.</p> <p>In section 11(1), the words “or primary Irish”.</p> <p>In section 11(2), the words “the University of Dublin and the National University of Ireland” in paragraph (a); and the whole of paragraph (f).</p> <p>Section 11(3).</p> <p>In section 12(1), the words “or primary Irish”.</p> <p>In section 13(1), the words “or primary Irish”.</p> <p>In section 15(8), in the paragraph defining “approved”, the words from “so however” to the end of the paragraph.</p> <p>Section 16(4).</p> <p>In section 16A(b), the words “or primary Irish” and “and the Republic of Ireland”.</p> <p>Section 17(4).</p> <p>In section 23(3), the words “and (4)”.</p>

(a) 1927 c. 39.

(b) 1956 c. 76.

(1) Enactment	(2) Extent of repeal
	<p>In section 33(1) and (2), the words “or the Republic of Ireland”.</p> <p>Section 39.</p> <p>In section 49(1), in the proviso, the words “subsection (3) of section eleven” and “thirty-nine”.</p> <p>In section 54(1), the whole paragraph defining “primary Irish qualification”.</p> <p>In Part I of Schedule 3 in the headnote, the words “AND IRISH” and, in column 1, with their corresponding entries in column 2, the words “Any university in Ireland”, “Royal College of Physicians of Ireland”, “Royal College of Surgeons in Ireland” and “Apothecaries’ Hall, Dublin”.</p>
The Medical Act 1969(a) ...	<p>In section 4(4), the words “the Republic of Ireland”.</p> <p>Section 6(1).</p> <p>Section 13(4).</p>
The Medical Act 1978(b) ...	<p>In paragraph 8 of Schedule 3, the words “or primary Irish”.</p> <p>In section 1(15), the words “the transitional provisions relating to Ireland contained in Schedule 2 to this Act and to”.</p> <p>Section 2(9).</p> <p>Schedule 2.</p>
	<p>In Schedule 6: the words “section 11(3)” in paragraph 1; paragraph 4; the words “or primary Irish” and “and the Republic of Ireland” in paragraph 6; paragraphs 29 and 30; the words “or the Republic of Ireland” and “primary Irish qualification” in paragraph 33(a) and (b); in paragraph 34(a) the words “or primary Irish” in the first of the subsections to be substituted and in the second such subsection the words “the University of Dublin and the National University of Ireland” in paragraph (a), and the whole of paragraph (f); paragraph 34(b); the words “or primary Irish” in paragraph 35(b); the words “or primary Irish” in paragraph 36(a); paragraphs 38 to 40; paragraph 42; the definition of “primary Irish qualification” in paragraph 49; the words “or</p>

(a) 1969 c. 40.

(b) 1978 c. 12.

(1) Enactment	(2) Extent of repeal
The Medical Qualifications (EEC) Recognition Order 1977(a) ...	<p>primary Irish" in paragraph 56, and the words "or primary Irish" in paragraph 66.</p> <p>In Article 3(1) the words "or Irish" and in Article 3(4) the words "AND IRISH".</p>

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order is made under section 4 of the Medical Act 1978. Following termination on 30th April 1979 of Part I (medical practitioners) of an Agreement of 1927 made between the United Kingdom and the Republic of Ireland providing for reciprocal recognition of qualifications, Article 2 makes consequential repeals or modifications of legislation concerning doctors and dentists; Article 3 preserves related rights to registration as medical practitioners in the United Kingdom of persons who now have, or before 30th April 1985 acquire, medical qualifications of the Republic of Ireland, and Article 4 enables Irish members of the General Medical Council to continue in office.

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