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STATUTORY INSTRUMENTS

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**1992 No. 635**

**The National Health Service (General  
Medical Services) Regulations 1992**

**PART III**

**MEDICAL PRACTICES COMMITTEE**

**Determination of applications by Medical Practices Committee**

**14.**—(1) The Medical Practices Committee shall determine applications under regulation 5 in accordance with the following paragraphs of this regulation.

(2) Subject to paragraph (3), in relation to any such application, the Medical Practices Committee shall—

- (a) where the application is made under regulation 5(1), consider the report made by the FHSA with respect to the application and any representations in writing made by the doctor in accordance with regulation 5(8);
- (b) before granting the application, ascertain whether or not the applicant is suitably experienced as mentioned in section 31 of the Act; and
- (c) where it grants the application, consider—
  - (i) which of the conditions mentioned in regulation 15(1) is appropriate in the case of the applicant, and
  - (ii) whether it should impose in relation to the applicant any condition mentioned in section 33(4)(b) of the Act.

(3) The Medical Practices Committee shall not determine an application under regulation 5(1) until it has received any representations in writing made by the doctor in accordance with regulation 5(8) or until the time allowed for the making of representations has expired, whichever is the earlier.

(4) The Medical Practices Committee shall not consider any application made under regulation 5(2) unless the FHSA has indicated that—

- (a) the application is the only one for the vacancy in question; or
- (b) it has selected the application for consideration by that Committee.

(5) Subject to paragraph (6), any determination of the Medical Practices Committee shall be the decision of the majority of those members who are present and voting at a meeting of the Committee.

(6) At any such meeting, four members of the Medical Practices Committee shall form a quorum, and in the case of an equality of votes the chairman shall have a second or casting vote.

(7) The Medical Practices Committee shall give notice in writing to the applicant whose application it has considered, the FHSA and the Secretary of State of its determination of that application, and shall inform any such applicant whose application is refused or granted subject to conditions of his right of appeal to the Secretary of State on a point of law.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(8) Where the Medical Practices Committee refuses an application under this regulation, it shall, when it gives notice to the applicant of its determination, include with the notice—

- (a) a statement of the reasons for its decision; and
- (b) in the case of an application under regulation 5(1), where the report from the FHSA to the Medical Practices Committee, made pursuant to regulation 5(3), (4), (5), or as the case may be, (6) supported the application, a copy of that part of the report.