

## SCHEDULE 2

### Minor and consequential amendments of act

**1.** In section 2 of the Act (registration of medical practitioners), in subsection (2)(d), for “EEC practitioners” there is substituted “EEA practitioners”.

**2.** In section 4 of the Act<sup>(1)</sup> (qualifying examinations and primary United Kingdom qualifications), after subsection (4) there is inserted—

“(5) Where more than one year of the training for a primary United Kingdom qualification took place outside the EEA, any document certifying possession of such a qualification shall make clear that this was so, and shall state the length (in aggregate) of such training.”

**3.** In section 11 of the Act (provisions supplementary to section 10, which relates to experience required for full registration by virtue of primary United Kingdom qualifications), for subsection (5) there is substituted—

“(5) In making regulations under subsection (2) of section 10 above, the Education Committee shall have regard to the requirements of article 23 of Directive 93/16/EEC; and such regulations shall not have effect until approved by order of the Privy Council.”

**4.** In section 12 of the Act (special provisions as to employment in health centres), after subsection (3) there is inserted—

“(4) In making regulations under subsection (3) above, the Education Committee shall have regard to the requirements of article 23 of Directive 93/16/EEC.”

**5.** In section 14 of the Act (alternative requirements as to experience in certain cases), after subsection (2) there is inserted—

“(3) In giving directions under subsection (1) above in the case of applicants falling within paragraph (b) of subsection (2) above, the General Council shall have regard to the requirements of article 23 of Directive 93/16/EEC.”

**6.** In section 16 of the Act (registration of qualifications), in subsection (2), for “a member State of the Communities” there is substituted “an EEA State”.

**7.** In section 30 of the Act (the registers), in subsection (1)(d), for “EEC practitioners” there is substituted “EEA practitioners”.

**8.** In section 32 of the Act (registration fees), in subsection (5), for “EEC practitioner” there is substituted “EEA practitioner”.

**9.** In section 44 of the Act (effect of disqualification in another member State on registration in the United Kingdom)—

(a) in subsection (1), for “a member State of the Communities” there is substituted “an EEA State”;

(b) in subsection (2), for “the member State of the Communities” there is substituted “the EEA State”; and

(c) in subsection (7), for “EEC practitioner” there is substituted “EEA practitioner”.

**10.** In section 45 of the Act (disciplinary provisions affecting practitioners who render services while visiting the United Kingdom)—

(a) in subsection (1), for “a member State of the Communities” there is substituted “an EEA State”, and for “any member State” there is substituted “any EEA State”; and

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(1) Section 4 was amended by the Medical Qualifications (Amendment) Act 1991 (c. 38).

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

(b) in each of subsections (1) and (4), for “EEC practitioner” there is substituted “EEA practitioner”.

11. In section 46 of the Act (recovery of fees), in subsection (2), for “member State of the Communities” there is substituted “EEA State”.

12. In section 49 of the Act (penalty for pretending to be registered), in subsection (2), for “member State of the Communities” there is substituted “EEA State”.

13.—(1) Section 55 of the Act (interpretation) shall be renumbered as subsection (1) of that section.

(2) In that provision as so renumbered—

(a) after the definition of “appointing body” there is inserted—

““Directive [93/16/EEC](#)” has the meaning given by section 5(4) above;”;

(b) after the definition of “disqualifying decision” there is inserted—

““the EEA Agreement” and “EEA State” have the meanings given by section 3(3) above;”;

(c) the definition of “the first Medical Directive” is omitted;

(d) in the definition of “fully registered person”, for “EEC practitioner” there is substituted “EEA practitioner”;

(e) in the definition of “national”, for “member State of the Communities” there is substituted “EEA State”; and

(f) the definition of “the second Medical Directive” is omitted.

(3) After that provision as so renumbered there shall be inserted the following subsection—

“(2) In relation to anything done before the adoption by the Council of Directive [93/16/EEC](#), references in this Act to that Directive, or to any provision of that Directive, shall be construed as references to, or to the corresponding provision of, the following Directives as for the time being amended, namely—

(a) Council Directive No. [75/362/EEC](#) concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in medicine(2); and

(b) Council Directive No. [75/363/EEC](#) concerning the coordination of provisions in respect of activities of doctors(3).”

14.—(1) In paragraph 3 of Schedule 3 to the Act (registration: supplementary provisions), after sub-paragraph (2) there is inserted—

“(3) Where an application is made for registration under section 3(1)(b) of this Act (whether by a national of an EEA State or a person treated as such a national), the appropriate registrar shall take no account of any document issued in accordance with article 11 or 12 of Directive [93/16/EEC](#) which is received by him more than three months after the date of its issue.”

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(2) Council Directive No. [75/362/EEC](#) was amended by the Act concerning the Conditions of Accession and Adjustments to the Treaties-Accession of the Hellenic Republic (OJ No L291, 19.11.1979, p. 90); Council Directive No [82/76/EEC](#) of 26 January 1982 (OJ No L43, 15.2.1982, p.21); the Act concerning the Conditions of Accession and Adjustments to the Treaties-Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L302, 15.11.1985, p. 158); Council Directive No [89/594/EEC](#) of 30 October 1989 (OJ No L341, 23.11.1989, p.19); and Council Directive No [90/658/EEC](#) of 4 December 1990 (OJ No L353, 17.12.1990, p.73); and was extended by Council Directive No [81/1057/EEC](#) of 14 December 1981 (OJ No. L385, 31.12.1981, p.25).

(3) Council Directive No [75/363/EEC](#) was amended by Council Directive No [82/76/EEC](#) of 26 January 1982 (OJ No L43, 15.2.1982, p.21); and Council Directive No [89/594/EEC](#) of 30 October 1989 (OJ No L341, 23.11.1989, p.19).

- (2) In paragraph 5 of that Schedule, for sub-paragraph (1) there is substituted—
- “(1) Subject to the foregoing provisions of this Schedule, on an application for the registration of a person under section 3 or 15 of this Act the appropriate registrar, if satisfied that the applicant is entitled to be registered in accordance with the application—
- (a) shall issue to the applicant the certificate of registration required by this paragraph; and
  - (b) in the case of an application under section 3 made by virtue of subsection (1)(b) of that section (whether by a national of an EEA State or a person treated as such a national), shall do so before the end of the requisite period.
- (1A) In sub-paragraph (1) above “the requisite period” means—
- (a) the period of three months beginning with the date on which the appropriate registrar received all the documents enabling him to be satisfied of the applicant’s entitlement to be registered in accordance with the application, or
  - (b) such longer period as is permitted by article 15 of Directive [93/16/EEC](#).”
- (3) In the heading to paragraph 7, and in paragraph 7(2), of that Schedule, for “EEC practitioners” there is substituted “EEA practitioners”.