
STATUTORY INSTRUMENTS

1996 No. 271 (C.5)

MEDICAL PROFESSION

**The Medical (Professional Performance) Act
1995 (Commencement No. 1) Order 1996**

Made - - - - 14th February 1996

At the Court at Buckingham Palace, the 14th day of February 1996

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 6 of the Medical (Professional Performance) Act 1995(1), and of 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 and interpretation

1.—(1) This Order may be cited as the Medical (Professional Performance) Act 1995 (Commencement No. 1) Order 1996.

(2) In this Order—

- (a) “the Act” means the Medical (Professional Performance) Act 1995; and
- (b) “the 1983 Act” means the Medical Act 1983(2).

Appointed Day

2. 1st May 1996 is the day appointed for the coming into force of the provisions of the Act specified in column (1) of the Schedule to this Order (the subject matter of each provision being mentioned in column (2)).

N. H. Nicholls
Clerk of the Privy Council

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SCHEDULE

Article 2

PROVISIONS OF THE ACT COMING INTO FORCE ON 1st MAY 1996

(1) Provision of the Act	(2) Subject Matter
Section 3.	Preliminary Proceedings: interim orders
Section 4, so far as it relates to the provisions of the Schedule to the Act brought into force by this Order.	Supplementary and consequential amendments to the 1983 Act.
Section 5.	Expenses
Section 6.	Commencement
Section 7(1)	Short title
Section 7(2), so far as it relates to the provisions of the Act brought into force by this Order.	Extent
In the Schedule, paragraph 1 (so far as it relates to the other provision of the Schedule brought into force by this Order) and paragraphs 4, 5, 6, 10(c), 22(b), 28(a), 29(a) and 30(a)	Supplementary and consequential amendments to the 1983 Act, and to the National Health Service Act 1977, the National Health Service (Scotland) Act 1978, and the Health and Personal Social Services (Northern Ireland) Order 1972
a 1977 c. 49.	
b 1978 c. 29.	
c S.I.1972/1265 (N.I. 14).	

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st May 1996 certain provisions of the Medical (Professional Performance) Act 1995 (“the Act”), which amends the Medical Act 1983, the National Health Service Act 1977, the National Health Service (Scotland) Act 1978 and the Health and Personal Social Services (Northern Ireland) Order 1972.

The provisions brought into force relate to the powers of the General Medical Council through its appropriate Committees—

- (a) to permit interim orders for suspension or conditional registration to be made for an initial period of six months rather than the original two months, and to make further interim orders for periods of up to three months at a time; and
- (b) to make an order for indefinite suspension in circumstances where the doctor’s fitness to practise is judged by the General Medical Council’s Health Committee to be seriously

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impaired by reason of his physical or mental condition and where the doctor concerned has already been suspended for at least two years.

This Order also brings into force, wholly or partly, sections 5, 6 and 7 of the Act which relate respectively to expenses, commencement, short title and extent.

In addition, this Order brings into force paragraph 4 of the Schedule to the Act which amends section 35 of the Medical Act 1983, so as to empower the General Medical Council to advise doctors on standards of professional performance.