
STATUTORY INSTRUMENTS

2000 No. 2052

MEDICAL PROFESSION

The General Medical Council (Constitution of Interim Orders Committee) Rules Order of Council 2000

Made - - - - *12th July 2000*
Coming into force - - *3rd August 2000*

At the Council Chamber, Whitehall, the 12th day of July 2000
By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in pursuance of paragraph 19A of Schedule 1 to the Medical Act 1983⁽¹⁾ the General Medical Council have made the General Medical Council (Constitution of Interim Orders Committee) Rules 2000 as set out in the Schedule to this Order:

And whereas by paragraph 24 of the said Schedule such rules shall not have effect until approved by Order of the Privy Council:

Now, therefore, Their Lordships, having taken the said rules into consideration, in exercise of the powers conferred by the said paragraph 24, do hereby order as follows:—

1. The said rules are hereby approved.
2. This Order may be cited as the General Medical Council (Constitution of Interim Orders Committee) Rules Order of Council 2000, and shall come into force on 3rd August 2000.

A. K. Galloway
Clerk of the Privy Council

⁽¹⁾ 1983 c. 54. Paragraph 19A was inserted by article 15 of the Medical Act 1983 (Amendment) Order 2000 (S.I.2000/1803).

Status: This is the original version (as it was originally made).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

SCHEDULE

THE GENERAL MEDICAL COUNCIL (CONSTITUTION OF INTERIM ORDERS COMMITTEE) RULES 2000

The General Medical Council, in exercise of their powers under paragraph 19A of Schedule 1 to the Medical Act 1983(2), hereby make the following Rules:

Citation and commencement

1. These Rules may be cited as the General Medical Council (Constitution of Interim Orders Committee) Rules 2000 and shall come into force on 3rd August 2000.

Interpretation

2.—(1) In these Rules—

“the Act” means the Medical Act 1983;

“the Committee” means the Interim Orders Committee;

“the Council” means the General Medical Council;

“elected member”, “appointed member” and “nominated member” have the same meanings as in section 55 of the Act;

“the first election” means the first election of members to the Committee;

“fitness to practise committees” means the Committee, the Preliminary Proceedings Committee, the Professional Conduct Committee, the Health Committee, the Assessment Referral Committee and the Committee on Professional Performance;

“general election year” means any year in which there is a general election of elected members of the Council;

“lay member” means a nominated member who is neither a registered medical practitioner nor the holder of any qualification registrable under the Act;

“medical member” means an elected member or an appointed member;

“the President” means the President of the Council.

(2) A reference—

(a) in these Rules to a numbered rule is a reference to the rule bearing that number in these Rules; and

(b) in a rule these Rules to a numbered paragraph is a reference to the paragraph bearing that number in that rule.

Constitution of the Interim Orders Committee

3.—(1) Subject to rule 8(3), the Committee shall consist of fifteen members who shall comprise—

(a) the Chairman who shall be a member of the Council appointed by the President;

(b) fourteen other members who shall be elected by the Council in accordance with rule 4 so that the total membership of the Committee, including the Chairman, comprises eight medical members and seven lay members;

(2) The Deputy Chairman shall be a member of the Committee appointed by the President.

(2) 1983 c. 54. Paragraph 19A was inserted by article 15 of the Medical Act 1983 (Amendment) Order 2000 (S.I. 2000/1803).

(3) Appointments by the President under paragraphs (1)(a) and (2) shall be subject to the approval of Council.

(4) If, on the hearing of a case, neither the Chairman nor the Deputy Chairman is able to take the chair, the President may appoint another member of the Committee, present at the commencement of the hearing, to chair the whole or, as the case may be, the remaining part of it.

Time of Election and Tenure of Office

4.—(1) Except in the case of the first election and unless the Council in special circumstances otherwise direct, an election of members to the Committee shall be held every year during the four months before the first meeting of the Council held on or after 1st November and the result of the election shall be announced at that meeting.

(2) Subject to paragraphs (3) and (4), members elected to the Committee in accordance with paragraph (1) shall hold office for the following calendar year.

(3) Persons elected to the Committee in accordance with paragraph (1) to hold office in a general election year shall hold office from 1st January to 31st October in that year.

(4) Persons elected to the Committee in a general election year shall hold office from the date of the first meeting of the Council after 1st November in that year until the end of the following calendar year.

(5) The first election shall take place at such time as the Council shall determine.

(6) Members elected to the Committee as a result of the first election shall hold office until 31st December 2001.

(7) Members of the Committee shall be eligible for re-election.

Quorum

5. The quorum of the Committee shall be five and shall include two medical members and two lay members.

Manner of election

6.—(1) The election (including the first election) of members to the Committee shall be conducted by post and members shall be elected to the Committee by a single transferable vote.

(2) Every member of the Council may vote in the election for each category of member specified in rule 3.

Disqualification from adjudication

7. No member of the Committee may sit as such on the hearing of a case if he has previously sat as a member of any of the other fitness to practise committees in relation to that case or has been involved with the case in any other capacity.

Filling of vacancies

8.—(1) If any member of the Committee vacates office otherwise than by the expiry of his term of office, the vacancy shall be filled by election by the Council in the manner specified in rule 6 and the member so elected shall hold office until the end of the term of office of the member in whose place he was elected.

(2) An election to fill a vacancy may be held at any time and, in consequence, the provisions of rule 4 shall not apply to such an election.

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(3) If at any time there are insufficient medical members or lay members available to sit on the Committee, the President may temporarily appoint any member of the Council who would not be disqualified from adjudication under rule 7 but so that a vacancy for a medical member may only be filled by another medical member and a vacancy for a lay member may only be filled by another lay member.

Cessation of membership

9.—(1) Notwithstanding anything in these Rules, if a member of the Committee ceases to be a member of the Council he shall also cease to be a member of the Committee.

(2) For the purposes of this rule, a person shall not be treated as ceasing to be a member of the Council if he has again been elected, appointed or nominated to be a member of the Council not later than the date on which he ceased to be such a member.

Validity of proceedings

10. The validity of any proceedings of the Committee shall not be affected by any defect in the election or appointment of any of the members of the Committee.

Given under the official seal of the General Medical Council this day 12th July, two thousand.

L.S.

Sir Donald Irvine
President

EXPLANATORY NOTE

(This note is not part of the Order)

The Rules approved by this Order establish and regulate the constitution of the Interim Orders Committee, a new statutory committee of the General Medical Council (GMC) provided for in the Medical Act 1983 (Amendment) Order 2000.