
STATUTORY INSTRUMENTS

2002 No. 3135

The Medical Act 1983 (Amendment) Order 2002

PART II

THE GENERAL MEDICAL COUNCIL

Main objective of the General Council

3. In section 1 (the General Medical Council) after subsection (1) insert—
- “(1A) The main objective of the General Council in exercising their functions is to protect, promote and maintain the health and safety of the public.”.

Amendments of Schedule 1

4.—(1) Schedule 1 (the General Medical Council and its committees, and the branch councils) is amended as follows.

- (2) In paragraph 1 after sub-paragraph (2) insert—
- “(3) The General Council shall consist of no more than 35 members.”.
- (3) In paragraph 2—
- (a) after sub-paragraph (1) insert—
- “(1A) The provision that may be made by an electoral scheme includes provision for any of the constituencies listed in sub-paragraph (1)(a) to (d) above to be divided into two or more separate constituencies.”;
- (b) for sub-paragraph (4) substitute—
- “(4) The persons qualified to elect the elected members for any constituency shall be those who, on a date determined in accordance with the electoral scheme—
- (a) are resident in the constituency for which the election is held;
- (b) are fully registered, provisionally registered or registered with limited registration; and
- (c) are holders of licences to practise.”; and
- (c) for sub-paragraph (5) substitute—
- “(5) A person shall not be qualified to be elected as an elected member unless he—
- (a) is fully registered, provisionally registered or registered with limited registration; and
- (b) holds a licence to practise.
- (5A) An electoral scheme shall make provision for the disclosure to those qualified to vote at an election of information (including information concerning fitness to practise) relating to a person seeking election.”.
- (4) In paragraph 3 for sub-paragraphs (1) and (2) substitute—

- “(1) Appointed members shall be chosen by such bodies as are designated for the time being as appointing bodies by an Order in Council under section 1 of this Act.
- (2) A person shall not be qualified to be chosen as an appointed member unless he—
- (a) is fully registered, provisionally registered or registered with limited registration; and
 - (b) holds a licence to practise.”
- (5) In paragraph 4 for sub-paragraph (3) substitute—
- “(3) A nominated member shall be a person who is neither fully registered nor a holder of any qualification registrable under this Act.”
- (6) After paragraph 4 insert—

“Suspension or removal from office of members

- 4A.**—(1) The General Council shall by rules make provision for the suspension or removal from office of a member by the General Council in such circumstances as may be specified in the rules.
- (2) Rules under sub-paragraph (1) above shall provide for an elected member or an appointed member to be removed from office if he ceases—
- (a) to be registered; or
 - (b) to hold a licence to practise.
- (3) Standing orders of the General Council shall make provision for the procedure by which a member may be suspended or removed from office.
- (4) No rules under sub-paragraph (1) above shall come into force until approved by order of the Privy Council.

Registration of members' private interests

- 4B.**—(1) The General Council must establish and maintain a system for the declaration and registration of private interests of members of the Council.
- (2) The General Council must publish entries recorded in the register of members' private interests.”
- (7) For paragraph 7 substitute—

- “7.—(1) Notwithstanding paragraph 1(2) above, an Order in Council under section 1 of this Act—
- (a) may make provision permitting elections to fill casual vacancies among the elected members to be held together, but
 - (b) may not permit a casual vacancy among the elected members to be left unfilled for a period exceeding six months, except in accordance with paragraph (c) below, and
 - (c) may make provision that a casual vacancy among the elected members need not be filled if the unexpired term of the elected member giving rise to the vacancy is less than twelve months.
- (2) In sub-paragraph (1) above the “unexpired term” means the period beginning with the date on which the member ceased to be a member and ending with the date on which his full term of office would have expired.”

(8) For paragraph 13 substitute—

“**13.** The quorum of the General Council shall be prescribed by Her Majesty by Order in Council made under section 1 of this Act.”.