
STATUTORY INSTRUMENTS

2005 No. 2413

**MEDICAL PROFESSION, ENGLAND,
WALES AND SCOTLAND**

**The Medical Act 1983 (Approved Medical Practices
and Conditions of Residence) Regulations 2005**

Made - - - - - *27th August 2005*
Laid before Parliament *2nd September 2005*
Coming into force - - - *1st October 2005*

The Secretary of State, in exercise of the powers conferred on her by section 11(3)(b) and (4) of the Medical Act 1983(1), and of all other powers enabling her in that behalf, hereby makes the following Regulations:

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Medical Act 1983 (Approved Medical Practices and Conditions of Residence) Regulations 2005 and shall come into force on 1st October 2005.

(2) These Regulations extend to England and Wales and Scotland.

(3) In these Regulations—

“GP Registrar” means a medical practitioner who is being trained in general practice by a training practitioner;

“medical practitioner” means a registered medical practitioner;

“practice premises” means the address at which a medical practice provides primary medical services under—

(a) Part 1 of the National Health Service Act 1977(2), or

(b) Part 1 of the National Health Service (Scotland) Act 1978(3);

(1) 1983 c. 54; section 11(3) was amended by the National Health Service (Primary Care) Act 1997 (c. 46), (“the 1997 Act”), section 35(3); section 11(4) was amended by the 1997 Act, section 35(4) and Schedule 2, paragraph 61(2), the Health and Personal Social Services Act (Northern Ireland) 2001 (c. 3) (“the 2001 Act”), section 53, the Health and Social Care (Community Health and Standards) Act 2003 (“the 2003 Act”) (c.43), Schedule 11, paragraph 48 and S.I.2004/957 and 3038. Regulations under section 11 are made for Northern Ireland by the Department of Health, Social Services and Public Safety – see section 53 of the 2001 Act.

(2) 1977 c. 49. Relevant amendments were made by Part 4 of the 2003 Act.

(3) 1978 c. 29. Relevant amendments were made by the Primary Medical Services (Scotland) Act 2004 (asp. 1).

“PRHO” means a person engaged in employment under section 10 of the Medical Act 1983(4) (experience required for full registration by virtue of primary United Kingdom qualifications) in an approved medical practice;

“training practitioner” means a medical practitioner who has been approved under article 4(5) (d) of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003(5) (education and training leading to the award of a Certificate of Completion of Training) for the purpose of providing training to GP Registrars.

Medical practices qualifying for approval

2. The following description of medical practice is prescribed for the purposes of section 11(4) of the Medical Act 1983—

- (a) the practice includes at least one medical practitioner who is a training practitioner;
- (b) the training practitioner (or, where there are more than one of them in the practice, the one who is to take training responsibility for the PRHO) has confirmed in writing to the university or other body concerned with the practice’s approval for the purposes of section 10 of the Medical Act 1983, that he is prepared to accept training responsibility for the PRHO;
- (c) each partner (if any) of the training practitioner has also confirmed in writing to that university or other body his willingness for the training practitioner to undertake training responsibility for a PRHO; and
- (d) the training practitioner with training responsibility for the PRHO will not at the same time have training responsibility for any other PRHO or for a GP Registrar.

Conditions as to residence

3. For the duration of the time that a PRHO is employed in an approved medical practice the conditions as to residence prescribed for the purposes of section 11(3)(b) of the Medical Act 1983 are that he shall reside in—

- (a) accommodation supplied by the hospital approved for his general clinical training pursuant to section 11 of that Act if that accommodation is situated conveniently near to the practice premises; or
- (b) other accommodation located conveniently near to the practice premises.

Revocations

4. The following Regulations are revoked—

- (a) the Medical Act 1983 (Approved Medical Practices and Conditions of Residence) and National Health Service (General Medical Services) (Amendment) Regulations 1998(6); and
- (b) the Medical Act 1983 (Approved Medical Practices and Conditions of Residence) and National Health Service (General Medical Services) (Scotland) (Amendment) Regulations 1998(7).

(4) Section 10 was amended by the 1997 Act, section 35(2) and S.I. 2002/3135.

(5) S.I. 2003/1250 as amended by S.I. 2004/865, 1016 (W.113), 2261 and 3038 and S.R. 2004/156.

(6) S.I. 1998/1664.

(7) S.I. 1998/1667.

Transitional provision

5. Notwithstanding the revocation of the Regulations specified in regulation 4, any period of employment in an approved medical practice that took place before the date on which this Order comes into force shall continue to meet the requirements of sections 10 and 11 of the Medical Act 1983 if it met the requirements of those sections during that period of employment in that practice.

Signed on behalf of the Secretary of State

27 August 2005

Warner
Minister of State,
Department of Health

Status: *This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe:

- (a) the description of medical practice which may be approved for the purposes of employing a Pre-Registration House Officer (PRHO) pursuant to section 10 of the Medical Act 1983; and
- (b) the conditions of residence with which a PRHO must comply throughout the period of such employment.