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STATUTORY INSTRUMENTS

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**2006 No. 1914**

**The Medical Act 1983 (Amendment) and  
Miscellaneous Amendments Order 2006**

**PART 17**

Transitional, transitory and saving provisions

**Indemnity arrangements**

**88.**—(1) If on the day article 69 comes into force article 65 is not yet in force, pending the coming into force of article 65, in section 44C of the Act—

- (a) subsection (1) shall apply as if for “holds a licence to practise” there were substituted “is registered by virtue of any provision of this Act”;
- (b) subsection (4)(a) shall apply as if—
  - (i) for “seeking a licence to practise” there were substituted “seeking registration by virtue of any provision of this Act”, and
  - (ii) for “granted a licence to practise” there were substituted “registered”;
- (c) subsection (4)(b) shall apply as if for “holds a licence to practise” there were substituted “is registered by virtue of any provision of this Act”;
- (d) subsection (6) shall apply as if for “holds a licence to practise” there were substituted “is registered by virtue of any provision of this Act”;
- (e) subsection (7) shall apply as if for “A licensing authority may refuse to grant a licence to practise to”, there were substituted “The Registrar may refuse to register (whether or not directed to do so by the Council)”; and
- (f) subsection (8) shall apply as if—
  - (i) for “holds a licence to practise” there were substituted “is registered by virtue of any provision of this Act”, and
  - (ii) for paragraph (a) there were substituted the following paragraph—
    - “(a) the Registrar may erase that person’s name from the register; or”.

(2) Where a decision is taken under—

- (a) section 44C(7) of the Act, as modified by paragraph (1)(e), to refuse to register a person; or
- (b) under section 44C(8) of the Act, as modified by paragraph (1)(f), to erase a person’s name from the register,

that decision is an appealable registration decision for the purposes of Schedule 3A to the Act, and “appealable registration decision” in that Schedule shall be construed accordingly.

(3) For the purposes of making provision with respect to the restoration to the register of medical practitioners whose names have been erased from it by virtue of section 44C(8) of the Act, as modified by paragraph (1)(f), section 31(8) of the Act shall apply as if after “section 30(5) above”

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

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there were inserted “or section 44C(8) below, as modified by article 88(1)(f) of the Medical Act 1983 (Amendment) and Miscellaneous Amendments Order 2006,”.