
STATUTORY INSTRUMENTS

2009 No. 2763

**HEALTH CARE AND
ASSOCIATED PROFESSIONS**

DOCTORS

**The General Medical Council (Voluntary Erasure
and Restoration following Voluntary Erasure)
(Amendment) Regulations Order of Council 2009**

Made - - - - *12th October 2009*
Laid before Parliament *16th October 2009*
Coming into force - - *16th November 2009*

Whereas, in exercise of their powers under section 31A of the Medical Act 1983(1) the General Medical Council have made the General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) (Amendment) Regulations 2009 as set out in the Schedule to this Order;

And whereas by section 31A(2) of that Act such Regulations shall not have effect until approved by order of the Privy Council;

Now, therefore, Their Lordships, having taken these Regulations into consideration, are pleased to, and do hereby approve them.

This Order may be cited as the General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) (Amendment) Regulations Order of Council 2009 and shall come into force on 16th November 2009.

Judith Simpson
Clerk of the Privy Council

(1) [1983 c.54](#). Section 31A was inserted by the Medical (Professional Performance) Act 1995, section 2, and amended by insertion of sub-sections 1A and 1B by [SI 2002/3135](#), articles 2 and 12(3).

SCHEDULE

THE GENERAL MEDICAL COUNCIL (VOLUNTARY ERASURE AND RESTORATION FOLLOWING VOLUNTARY ERASURE) (AMENDMENT) REGULATIONS 2009

The General Medical Council, in exercise of their powers under section 31A of the Medical Act 1983, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) (Amendment) Regulations 2009 and shall come into force on 16th November 2009.

Consequential amendments

2. In the General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) Regulations 2004(2)—

(1) In regulation 2:

- (a) omit the definition of “the Fees Regulations”;
- (b) for the definition of “lay”, substitute the following: “means a person who is not and never has been provisionally or fully registered, was at no time registered with limited registration and does not hold qualifications which would entitle them to apply for provisional or full registration under the Act”;
- (c) in the definitions of “medical” and “practitioner”, for “registered medical practitioner”, substitute “person registered under the Act, whether or not they hold a licence to practise”.

(2) In regulations 3(2)(a) and 4(2)(a), for “registration number” substitute “GMC Reference Number”.

(3) Omit sub-paragraph (h) of regulation 4(2).

(4) Omit regulation 7.

EXPLANATORY NOTE

(This note is not part of the Order)

The Regulations approved by this Order make minor changes to regulations 2, 3 and 4 of the General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) Regulations 2004, namely updating terminology in line with the provisions of the Medical Act 1983 as amended by the Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 ([S.I. 2008/1774](#)) and removing cross-references to the Regulations prescribing fees for applications for restoration following voluntary erasure, and the now redundant transitional provisions of regulation 7.

(2) Scheduled to [S.I. 2004/2609](#).

