

---

STATUTORY INSTRUMENTS

---

**2009 No. 2765**

**HEALTH CARE AND  
ASSOCIATED PROFESSIONS**

**DOCTORS**

**The General Medical Council (Fitness to Practise)  
(Disqualifying Decisions and Determinations by Regulatory  
Bodies) Procedure (Amendment) Rules 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 paragraph 1 of Schedule 4 to, the Medical Act 1983(1) the General Medical Council has made the General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure (Amendment) Rules 2009 as set out in the Schedule to this Order;

And whereas by paragraph 1(7) of that Schedule such Rules shall not come into force until approved by order of the Privy Council, who may by paragraph 1(8)(a) of that Schedule approve such Rules as submitted to them;

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

This Order may be cited as the General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure (Amendment) Rules Order of Council 2009 and shall come into force on 16th November 2009.

*Judith Simpson*  
Clerk of the Privy Council

---

(1) 1983 c. 54. Schedule 4 was substituted by articles 2 and 14 of [SI 2002/3135](#), and paragraph 1 was amended by [SI 2006/1914](#), articles 2 and 57 of [SI 2006/1914](#).

## SCHEDULE

### THE GENERAL MEDICAL COUNCIL (FITNESS TO PRACTISE) (DISQUALIFYING DECISIONS AND DETERMINATIONS BY REGULATORY BODIES) PROCEDURE (AMENDMENT) RULES 2009

The General Council, in exercise of its powers under paragraph 1 of Schedule 4 to the Medical Act 1983, and having consulted such bodies of persons representing medical practitioners and such medical practitioners as appeared to it requisite to be consulted pursuant to paragraph 1(6) of Schedule 4 to that Act, hereby makes the following Rules:

#### **Citation and commencement**

**1.** These rules may be cited as the General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure (Amendment) Rules 2009 and shall come into force on the 16th day of November 2009.

#### **Consequential amendments**

**2.** In the General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure Rules 2004<sup>(2)</sup>:

(1) In rule 2—

- (a) in the definition of “The Presenting Officer”, for “and may include solicitor” substitute “and may include a solicitor”; and
- (b) in the definition of “practitioner”, for “registered medical practitioner”, substitute “person registered under the Act, whether or not they hold a licence to practise”.

(2) In rules 4(d) and 5(f) and (g), omit “or 44A(4)”.

(3) In rules 5(a)(i) and (ii), for “registration number” substitute “GMC Reference Number”.

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

The Rules approved by this Order make minor changes to rules 2, 4 and 5 of the General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure Rules 2004 to reflect amendments made to the Medical Act 1983 by the Medical Act (Amendment) and Miscellaneous Amendments Order 2006 ([SI 2006/1914](#)).

---

(2) Scheduled to [SI 2004/2607](#).