

SCHEDULES

SCHEDULE 1

Medical Practitioners

PART 1

Amendments to legislation

Medical Act 1983

15.—(1) Section 21B (full registration of persons with an overseas qualification)(**1**) is amended as follows.

(2) In subsection (1)—

- (a) at the beginning, insert “Subject to subsection (1A),”;
- (b) at the end of paragraph (c), insert “and”;
- (c) in paragraph (d), omit “unless he is an exempt person,”;
- (d) omit the “and” at the end of paragraph (d);
- (e) omit paragraph (e).

(3) After subsection (1), insert—

“(1A) Subsection (1)(b) does not apply to a person who makes an application under this section on or after exit day in reliance on the holding of a relevant European qualification within subsection (3)(a) or (b).

(1B) Subsection (1C) applies instead of subsection (1) in the case of an exempt person who—

- (a) has made an application for registration as a fully registered medical practitioner under this section before exit day, or
- (b) is provisionally registered under section 21C and made the application for that provisional registration before exit day.

(1C) Where the exempt person satisfies the Registrar that—

- (a) the person holds, or has passed all the qualifying examinations necessary for obtaining, an acceptable overseas qualification,
- (b) where—
 - (i) the acceptable overseas qualification was, or would have been, granted otherwise than in a relevant European State, and
 - (ii) that qualification, or the person’s having passed those examinations, has not previously been accepted by a relevant European State as qualifying the person to practise as a medical practitioner in that State,

(1) Section 21B was inserted by [S.I. 2006/1914](#). Relevant amending instrument is [S.I. 2007/3101](#).

Status: This is the original version (as it was originally made).

that qualification is, or would have been, evidence of medical training which satisfies the requirements of article 24(1), (2) and (3)(a), (b) and (c) of the Directive (basic medical training),

- (c) the person possesses the knowledge, skills and experience necessary for practising as a fully registered medical practitioner in the United Kingdom, and
- (d) the person's fitness to practise is not impaired,

the person shall, if the General Council think fit so to direct, be registered under this section as a fully registered medical practitioner.”.

(4) For subsection (2), substitute—

“(2) In this Act, an “acceptable overseas qualification” means—

- (a) in relation to a person who makes an application for registration on or after exit day, a relevant European qualification, or
- (b) (whether or not in relation to such a person) any other qualification granted outside the United Kingdom, where that qualification is for the time being accepted by the General Council as qualifying a person to practise as a medical practitioner in the United Kingdom.”.

(5) After subsection (2), insert—

“(3) In this section, “relevant European qualification” means—

- (a) a primary European qualification under section 17(1)(a) that has not been designated by the General Council for the purposes of this paragraph,
- (b) a qualification that is not a primary European qualification under section 17(1)(a) but—
 - (i) was granted in a relevant European State, and
 - (ii) demonstrates, in the opinion of the General Council, a comparable level of knowledge, skill and experience to that demonstrated by the means of qualification laid down by section 3(1)(a) (including the programme for provisionally registered doctors), or
- (c) a qualification that is not a primary European qualification under section 17(1)(a) and does not fall within paragraph (b) but—
 - (i) was granted in a relevant European State, and
 - (ii) demonstrates, in the opinion of the General Council, a comparable level of knowledge and skill to that demonstrated by a primary United Kingdom qualification.

(4) The General Council—

- (a) may designate a qualification for the purposes of subsection (3)(a) only with the approval of the Privy Council;
- (b) must maintain and publish a list of the qualifications that are so designated.”.