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SCOTTISH STATUTORY INSTRUMENTS

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**2000 No. 308**

**MEDICAL PROFESSION**

**The General Medical Council (Legal Assessors) Amendment (Scotland) Rules 2000**

*Made* - - - - 4th September 2000  
*Laid before the Scottish Parliament* - - - - 7th September 2000  
*Coming into force* - - 29th September 2000

The Scottish Ministers, in exercise of the powers conferred upon them by section 43 of, and paragraph 7(3) of Schedule 4 to, the Medical Act 1983<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Rules:

**Citation, commencement, interpretation and extent**

1.—(1) These Rules may be cited as the General Medical Council (Legal Assessors) Amendment (Scotland) Rules 2000 and shall come into force on 29th September 2000.

(2) In these Rules—

- (a) “the 1980 Rules” means the General Medical Council (Legal Assessors) Rules 1980<sup>(2)</sup>; and
- (b) a rule referred to by number alone means the rule so numbered in the 1980 Rules.

(3) These Rules extend to Scotland only.

**Amendment of the 1980 Rules**

2.—(1) In rule 1(2), in the definition of “the Committee”, after the words “being either” there are inserted the words “the Interim Orders Committee,”.

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(1) 1983 c. 54; section 43 of, and Schedule 4, paragraph 7 to, that Act were amended by the Medical (Professional Performance) Act 1995 (c. 51), section 4 and the Schedule, paragraphs 1, 9 and 21, and by the Medical Act 1983 (Amendment) Order 2000, (S.I.2000/1803), articles 12 and 16. The functions of the Lord Advocate were transferred to the Secretary of State by virtue of the Transfer of Functions (Lord Advocate and Secretary of State) Order 1999 (S.I. 1999/678) and then to the Scottish Ministers by virtue of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750), Schedule 1.

(2) S.I. 1980/941, amended by S.I. 1997/1861. These Rules, which were made under the Medical Act 1978 (c. 12), now have effect under section 43 of, and paragraph 7(3) of Schedule 4 to, the Medical Act 1983, by virtue of section 56 and Schedule 6, paragraph 2 of that Act.

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**Status:** This is the original version (as it was originally made).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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(2) In rule 4, after the words “proceedings before” where they first occur, there are inserted the words “the Interim Orders Committee,”.

(3) In rule 5, after the words “on any occasion” there are inserted the words “the Interim Orders Committee,”.

St Andrew’s House,  
Edinburgh  
4th September 2000

*SUSAN C DEACON*  
A member of the Scottish Executive

## **EXPLANATORY NOTE**

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

These Rules, which extend to Scotland only, amend the General Medical Council (Legal Assessors) Rules 1980 (“the 1980 Rules”), which regulate the functions of legal assessors appointed by the General Medical Council to advise the Professional Conduct Committee, the Assessment Referral Committee, the Committee on Professional Performance, the Health Committee and the Preliminary Proceedings Committee on questions of law arising in proceedings before them.

The amendments are necessary as a consequence of amendments to the Medical Act 1983 under which a new committee of the General Medical Council, called the Interim Orders Committee is created. These Rules provide for the 1980 Rules to apply to the new committee, in the same way as they apply to the existing ones.