

SCHEDULE 3

Consequential amendments and revocations

PART 2

Consequential amendments to subordinate legislation

The National Health Service (Appointment of Consultants) Regulations 1996

3.—(1) The National Health Service (Appointment of Consultants) Regulations 1996(1) are amended as follows.

(2) In regulation 2 (interpretation), for the definition of “accredited as a consultant” substitute—

““accredited as a consultant” means, in relation to a person, that the person’s name is included in the Specialist Register kept by the General Medical Council pursuant to section 34D of the Medical Act 1983 where that person has either been appointed as a consultant by an Armed Services Consultant Appointment Board or appointed to a consultant post with an Authority;”.

(3) Regulation 4 (registration requirements) shall be renumbered regulation 4(1) and—

(a) in the renumbered regulation 4(1), for sub-paragraph (b) substitute—

“(b) in the case of an appointment of a registered medical practitioner, their name is, subject to paragraph (2), included in the Specialist Register kept by the General Medical Council pursuant to section 34D of the Medical Act 1983.”;

(b) after the renumbered regulation 4(1) add—

“(2) Paragraph (1)(b) does not apply to any person who held a post as a consultant in oral and maxillo-facial surgery on the staff of an Authority in England immediately before 1st January 1997.”.

The National Health Service (Appointment of Consultants) (Wales) Regulations 1996

4.—(1) The National Health Service (Appointment of Consultants) (Wales) Regulations 1996(2) are amended as follows.

(2) In regulation 2 (interpretation), for the definition of “accredited as a consultant” substitute—

““accredited as a consultant” means, in relation to a person, that the person’s name is included in the Specialist Register kept by the General Medical Council pursuant to section 34D of the Medical Act 1983 where that person has either been appointed as a consultant by an Armed Services Consultant Appointment Board or appointed to a consultant post with an Authority;”.

(3) Regulation 4 (registration requirements) shall be renumbered regulation 4(1) and—

(a) in the renumbered regulation 4(1), for sub-paragraph (b) substitute—

“(b) in the case of an appointment of a registered medical practitioner, their name is, subject to paragraph (2), included in the Specialist Register kept by the General Medical Council pursuant to section 34D of the Medical Act 1983.”;

(b) after the renumbered regulation 4(1) add—

“(2) Paragraph (1)(b) does not apply to any person who held a post as a consultant in oral and maxillo-facial surgery on the staff of an Authority in Wales immediately before 1st January 1997.”.

(1) [S.I.1996/701](#) as amended by [S.I.2003/1250](#) and [2004/3365](#).

(2) [S.I.1996/1313](#) as amended by [S.I.2003/1250](#).

The Medical Act 1983 (Amendment) Order 2002

5. In Part 1 of Schedule 1 to the Medical Act 1983 (Amendment) Order 2002⁽³⁾ (consequential amendments to primary legislation), omit paragraph 1.

The National Health Service (Performers Lists) Regulations 2004

6.—(1) The National Health Service (Performers Lists) Regulations 2004⁽⁴⁾ are amended as follows.

(2) In regulation 21(2) (interpretation of Part 2: medical performers lists)—

(a) omit the definitions of “2003 Order”, “the Board” and “the Vocational Training Regulations”;

(b) for the definition of “armed forces GP” substitute—

““armed forces GP” means a medical practitioner who—

(a) is employed under a contract of service by the Ministry of Defence whether or not as a member of the armed forces; and

(b) is entered on the GP Register;”;

(c) for the definition of “both registers” substitute—

““both registers” means the register of medical practitioners and the GP Register;”;

(d) in the definition of “CCT”, for “article 8 of the 2003 Order” substitute “section 34L(1) of the Medical Act”;

(e) for the definitions of “GP Register”, “GP Registrar”, “GP Trainer” and “general medical practitioner” substitute—

““GP Register” means the register kept by virtue of section 34C of the Medical Act;”;

““GP Registrar” means a medical practitioner who is being trained in general practice by a GP Trainer, whether as part of training leading to a CCT or otherwise;”;

““GP Trainer” means a general medical practitioner, other than a GP Registrar, who is approved by the General Medical Council for the purposes of providing training to a GP Registrar;”;

““general medical practitioner” means a GP Registrar or a medical practitioner whose name is included in the GP Register;”;

(f) for the definition of “vocational training scheme” substitute—

““vocational training scheme” means postgraduate medical education and training necessary for the award of a CCT in general practice.”.

(3) In regulation 22(2A) (medical performers list), for “the Board” substitute “the General Medical Council”.

(4) In regulation 23 (application for inclusion in a medical performers list)—

(a) for paragraph (2)(b)(iii) substitute—

“(iii) to provide the Primary Care Trust with evidence of their inclusion in the GP Register; and”;

(b) for paragraph (3) substitute—

“(3) The events to which this paragraph applies are—

(3) [S.I.2002/3135](#).

(4) [S.I.2004/585](#). Relevant amending instruments are [S.I.2004/2694](#), [2006/1385](#) and [2007/3101](#).

- (a) the conclusion of any period of general practice training required by section 34J of the Medical Act unless—
 - (i) it forms part of a vocational training scheme which has not yet been concluded; or
 - (ii) the medical practitioner provides the Primary Care Trust with evidence of their inclusion in the GP Register;
- (b) the failure satisfactorily to complete any period of general practice training within the meaning of that section of that Act; and
- (c) the completion of a vocational training scheme unless the medical practitioner provides the Primary Care Trust with evidence of their inclusion in the GP Register.”.

The National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004

7.—(1) The National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004⁽⁵⁾ are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) omit the definitions of “the 2003 Order”, “the Postgraduate Medical Education and Training Board” and “the Vocational Training Regulations”;
- (b) for the definition of “armed forces GP” substitute—

““armed forces GP” means a medical practitioner who—

- (a) is employed under a contract of service by the Ministry of Defence whether or not as a member of the armed forces of the Crown; and
- (b) is entered on the GP Register;”;

- (c) for the definition of “both registers” substitute—

““both registers” means the register of medical practitioners and the GP Register;”;

- (d) in the definition of “CCT”, for “article 8 of the 2003 Order” substitute “section 34L(1) of the Medical Act 1983”;

- (e) for the definitions of “GP Register”, “GP Registrar” and “GP Trainer” and “general medical practitioner” substitute—

““GP Register” means the register kept by virtue of section 34C of the Medical Act 1983;”;

““GP Registrar” means a medical practitioner who is being trained in general practice by a GP Trainer, whether as part of training leading to a CCT or otherwise;”;

““GP Trainer” means a general medical practitioner, other than a GP Registrar, who is approved by the General Medical Council for the purposes of providing training to a GP Registrar;”;

““general medical practitioner” means a GP Registrar or a medical practitioner whose name is included in the GP Register;”;

- (f) for the definition of “vocational training scheme” substitute—

““vocational training scheme” means postgraduate medical education and training necessary for the award of a CCT in general practice.”.

(5) [S.S.I.2004/114](#). Relevant amending instruments are [S.S.I.2005/333](#) and [2007/207](#) and [S.I.2007/3101](#).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:
The General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 No. 1250

(3) In regulation 3(2A)(Primary Medical Services Performers), for “the Postgraduate Medical Education and Training Board” substitute “the General Medical Council”.

(4) In Schedule 1 (information, declarations and undertakings to be included in an application for inclusion in a primary medical services performers’ list)—

(a) in sub-paragraph (i) of paragraph 3—

(i) omit paragraph (iii);

(ii) in paragraph (iv), omit “after the coming into force of article 10 of the 2003 Order”;

(b) for paragraph 4 substitute—

“4. The events to which this paragraph applies are—

(a) the conclusion of any period of general practice training required by section 34J of the Medical Act 1983 unless—

(i) it forms part of a vocational training scheme which has not yet been concluded; or

(ii) the GP Registrar provides the Health Board with evidence of their inclusion in the GP Register;

(b) the failure satisfactorily to complete any period of general practice training within the meaning of that section of that Act; and

(c) the completion of a vocational training scheme unless the GP Registrar provides the Health Board with evidence of their inclusion in the GP Register.”.

The National Health Service (Performers Lists) (Wales) Regulations 2004

8.—(1) The National Health Service (Performers Lists) (Wales) Regulations 2004(6) are amended as follows.

(2) In regulation 21(1) (interpretation of Part 3: medical performers lists)—

(a) omit the definitions of “the 2003 Order”, “the Board” and “the Vocational Training Regulations”;

(b) for the definition of “armed forces GP” substitute—

““armed forces GP” means a medical practitioner who—

(a) is employed under a contract of service by the Ministry of Defence whether or not as a member of the armed forces; and

(b) is entered on the GP Register;”;

(c) for the definition of “both registers” substitute—

““both registers” means the register of medical practitioners and the GP Register;”;

(d) in the definition of “CCT”, for “article 8 of the 2003 Order” substitute “section 34L(1) of the Medical Act 1983”;

(e) for the definitions of “GP Register”, “GP Registrar”, “GP Trainer” and “general medical practitioner” substitute—

““GP Register” means the register kept by virtue of section 34C of the Medical Act 1983;”;

““GP Registrar” means a medical practitioner who is being trained in general practice by a GP Trainer, whether as part of training leading to a CCT or otherwise;”;

(6) [S.I.2004/1020 \(W.117\)](#). Relevant amending instruments are [S.I.2005/258 \(W.24\)](#), [2007/3101](#) and [2008/1425 \(W.147\)](#).

““GP Trainer” means a general medical practitioner, other than a GP Registrar, who is approved by the General Medical Council for the purposes of providing training to a GP Registrar;”;

““general medical practitioner” means a GP Registrar or a medical practitioner whose name is included in the GP Register;”;

(f) for the definition of “vocational training scheme” substitute—

““vocational training scheme” means postgraduate medical education and training necessary for the award of a CCT in general practice.”.

(3) In regulation 22(2A) (medical performers list), for “the Board” substitute “the General Medical Council”.

(4) In regulation 23 (application for inclusion in a medical performers list)—

(a) for paragraph (2)(b)(iii), substitute—

“(iii) to provide the Local Health Board with evidence of their inclusion in the GP Register; and”;

(b) for paragraph (3) substitute—

“(3) The events to which this paragraph applies are—

(a) the conclusion of any period of general practice training required by section 34J of the Medical Act unless—

(i) it forms part of a vocational training scheme which has not yet been concluded; or

(ii) the general medical practitioner provides the Local Health Board with evidence of their inclusion in the GP Register;

(b) the failure satisfactorily to complete any period of general practice training within the meaning of that section of that Act; and

(c) the completion of a vocational training scheme unless the general medical practitioner provides the Local Health Board with evidence of their inclusion in the GP Register.”.

The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004

9. In regulation 2 of the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004(7) (interpretation)—

(a) omit the definitions of “the 2003 Order” and “General Practitioner Register”;

(b) for the definitions of “CCT”, “general medical practitioner” and “GP Registrar”, substitute—

““CCT” means a Certificate of Completion of Training awarded under section 34L(1) of the Medical Act 1983 including any such certificate awarded in pursuance of the competent authority functions of the General Medical Council specified in section 49B of, and Schedule 4A to, that Act;”;

““general medical practitioner” means a medical practitioner whose name is included in the General Practitioner Register kept by the General Medical Council;”;

““GP Registrar” means a medical practitioner who is being trained in general practice by a general medical practitioner who is approved under section 34I of the

(7) [S.S.I.2004/116](#). The relevant amending instrument is [S.S.I.2005/336](#).

Medical Act 1983 for the purpose of providing training under that section, whether as part of training leading to a CCT or otherwise;”.

The National Health Service (General Medical Services Contracts) Regulations 2004

10.—(1) The National Health Service (General Medical Services Contracts) Regulations 2004⁽⁸⁾ is amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) omit the definition of “General Practitioner Register”;
- (b) for the definitions of “CCT”, “general medical practitioner” and “GP Registrar”, substitute—

““CCT” means a Certificate of Completion of Training awarded under section 34L(1) of the Medical Act 1983 including any such certificate awarded in pursuance of the competent authority functions of the General Medical Council specified in section 49B of, and Schedule 4A to, that Act;”;

““general medical practitioner” means, unless the context otherwise requires, a medical practitioner whose name is included in the General Practitioner Register kept by the General Medical Council;”;

““GP Registrar” means a medical practitioner who is being trained in general practice by a general medical practitioner who is approved under section 34I of the Medical Act 1983 for the purpose of providing training under that section, whether as part of training leading to a CCT or otherwise;”.

(3) In paragraph 53(2)(d)(ii) of Schedule 6 (qualifications of performers), for “the Postgraduate Medical Education and Training Board” substitute “the General Medical Council”.

The National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004

11.—(1) The National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004⁽⁹⁾ is amended as follows.

(2) In regulation 2 (interpretation)—

- (a) omit the definition of “General Practitioner Register”;
- (b) for the definitions of “CCT”, “general medical practitioner” and “GP Registrar”, substitute—

““CCT” means a Certificate of Completion of Training awarded under section 34L(1) of the Medical Act 1983 including any such certificate awarded in pursuance of the competent authority functions of the General Medical Council specified in section 49B of, and Schedule 4A to, that Act;”;

““general medical practitioner” means, unless the context otherwise requires, a medical practitioner whose name is included in the General Practitioner Register kept by the General Medical Council;”;

““GP Registrar” means a medical practitioner who is being trained in general practice by a general medical practitioner who is approved under section 34I of the Medical Act 1983 for the purpose of providing training under that section, whether as part of training leading to a CCT or otherwise;”.

⁽⁸⁾ [S.I.2004/291](#). The relevant amending instruments are [S.I.2004/2694](#) and [2006/1501](#).

⁽⁹⁾ [S.S.I.2004/115](#). The relevant amending instrument is [S.S.I.2005/337](#).

The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004

12.—(1) The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004⁽¹⁰⁾ is amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) omit the definition of “General Practitioner Register”;
- (b) in the definition of “CCT” for “article 8 of the 2003 Order” substitute “section 34L(1) of the Medical Act 1983”;
- (c) for the definitions of “general medical practitioner” and “GP Registrar” substitute—
 - ““general medical practitioner” means, unless the context otherwise requires, a medical practitioner whose name is included in the General Practitioner Register kept by the General Medical Council;”;
 - ““GP Registrar” means a medical practitioner who is being trained in general practice by a general medical practitioner who is approved under section 34I of the Medical Act 1983 for the purpose of providing training under that section, whether as part of training leading to the award of a CCT or otherwise;”.

(3) In paragraph 52(2)(e)(ii) of Schedule 6 (qualifications of performers), for “the Postgraduate Medical Education and Training Board” substitute “the General Medical Council”.

The National Health Service (Personal Medical Services Agreements) Regulations 2004

13.—(1) The National Health Service (Personal Medical Services Agreements) Regulations 2004⁽¹¹⁾ are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) omit the definitions of “the 2003 Order” and “General Practitioner Register”;
- (b) in the definition of “CCT”, for “article 8 of the 2003 Order” substitute “section 34L(1) of the Medical Act 1983”;
- (c) for the definitions of “general medical practitioner” and “GP Registrar” substitute—
 - ““general medical practitioner” means, except where the context otherwise requires, a medical practitioner whose name is included in the General Practitioner Register kept by the General Medical Council;”;
 - ““GP Registrar” means a medical practitioner who is being trained in general practice by a general medical practitioner who is approved under section 34I of the Medical Act 1983 for the purpose of providing training under that section, whether as part of training leading to a CCT or otherwise;”.

(3) In paragraph 53(2)(d)(ii) of Schedule 5 (qualifications of performers), for “the Postgraduate Medical Education and Training Board” substitute “the General Medical Council”.

The National Health Service (Appointment of Consultants) (Scotland) Regulations 2009

14. In the definition of “Specialist Register” in regulation 2(1) of the National Health Service (Appointment of Consultants) (Scotland) Regulations 2009⁽¹²⁾, for the words from “article 13(1)” to the end substitute “section 34D of the Medical Act 1983”.

⁽¹⁰⁾ [S.I.2004/478 \(W.48\)](#). The relevant amending instruments are [S.I.2006/358 \(W.46\)](#) and [2008/1425 \(W.147\)](#).

⁽¹¹⁾ [S.I.2004/627](#). The relevant amending instruments are [S.I.2004/2694](#) and [2006/1501](#).

⁽¹²⁾ [S.S.I.2009/166](#).

Amendment of firefighters' and local government pensions legislation

15.—(1) In the provisions referred to in sub-paragraph (2), for “the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003” substitute “section 55(1) of the Medical Act 1983”.

(2) Those provisions are—

- (a) the definition of “Independent qualified medical practitioner” in Part 1 of Schedule 1 to the Firefighters’ Pension Scheme 1992 contained in Schedule 2 to the Firefighters’ Pension Scheme Order 1992(**13**) (glossary of expressions);
- (b) the definition of “independent qualified medical practitioner” in paragraph 2(1) of Part 1 of Schedule 1 to the Firefighters’ Pension Scheme (England) Order 2006(**14**) (the New Firefighters’ Pension Scheme (England));
- (c) the definition of “independent qualified medical practitioner” in paragraph 2(1) of Part 1 of Schedule 1 to the Firefighters’ Compensation Scheme (England) Order 2006(**15**) (the Firefighters’ Compensation Scheme (England) 2006);
- (d) the definition of “independent qualified medical practitioner” in paragraph 2(1) of Part 1 of Schedule 1 to the Firefighters’ Pension Scheme (Wales) Order 2007(**16**) (the New Firefighters’ Pension Scheme (Wales));
- (e) the definition of “independent qualified medical practitioner” in paragraph 2(1) of Part 1 of Schedule 1 to the Firefighters’ Compensation Scheme (Wales) Order 2007(**17**) (the Firefighters’ Compensation Scheme (Wales) 2007);
- (f) the definition of “independent qualified medical practitioner” in paragraph 2(1) of Part 1 of Schedule 1 to the Firefighters’ Pension Scheme (Scotland) Order 2007(**18**) (the New Firefighters’ Pension Scheme (Scotland));
- (g) the definition of “independent qualified medical practitioner” in paragraph 2(1) of Part 1 of Schedule 1 to the Firefighters’ Compensation Scheme (Scotland) Order 2006(**19**) (the Firefighters’ Compensation Scheme (Scotland) 2006);
- (h) the definition of “Independent qualified medical practitioner” in Part I of Schedule 1 to the Firefighter’s Pension Scheme Order (Northern Ireland) 2007(**20**) (glossary of expressions);
- (i) the definition of “independent qualified medical practitioner” in paragraph 2(1) of the Annex to the New Firefighters’ Pension Scheme Order (Northern Ireland) 2007(**21**) (the New Firefighters’ Pension Scheme (Northern Ireland));
- (j) the definition of “qualified medical practitioner” in paragraph 2(1) of Part 1 of the Annex to the Firefighters’ Compensation Scheme Order (Northern Ireland) 2007(**22**) (the Firefighters’ Compensation Scheme (Northern Ireland));

(13) [S.I.1992/129](#). The relevant amending instruments are [S.I.2004/1912](#), [2005/2980](#) and [2006/1672](#) and [S.S.I.2004/385](#). The title of the Order and the name of the scheme was changed by [S.I.2004/2306](#) in relation to England and Scotland and by [S.I.2004/2918](#) in relation to Wales.

(14) [S.I.2006/3432](#).

(15) [S.I.2006/1811](#).

(16) [S.I.2007/1072](#).

(17) [S.I.2007/1073](#).

(18) [S.S.I.2007/199](#) to which there are amendments which are not relevant to this Order.

(19) [S.S.I.2006/338](#) to which there are amendments which are not relevant to this Order.

(20) [S.R.2007 No.144](#)

(21) [S.R.2007 No. 215](#)

(22) [S.R.2007 No. 143](#).

- (k) the definition of “qualified in occupational health medicine” in regulation 20(14) of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007(23) (early leavers: ill-health);
- (l) paragraph (a) of the definition of “qualified in occupational health medicine” in regulation 20(7) of the Local Government Pension Scheme (Benefits, Membership and Contributions)(Scotland) Regulations 2008(24) (early leavers: ill-health);
- (m) paragraph (a) of the definition of “qualified in occupational health medicine” in regulation 20(9) of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations (Northern Ireland) 2009(25) (early leavers: ill-health).

Amendment of NHS Pensions legislation

16.—(1) The following provisions are amended as set out in sub-paragraphs (2) to (5)—

- (a) regulation A2 of the National Health Service Pension Scheme Regulations 1995(26) (interpretation);
- (b) regulation A2(4) of the National Health Service Superannuation Scheme (Scotland) Regulations 1995(27) (interpretation);
- (c) regulations 2.A.1(1) (benefits for officers: interpretation: general) and 3.A.1(1) (benefits for practitioners etc.: interpretation of Part 3: general) of the National Health Service Pension Scheme Regulations 2008(28);
- (d) regulations 2.A.1(1) (benefits for officers: interpretation: general) and 3.A.1(1) (benefits for practitioners etc.: interpretation of Part 3: general) of the National Health Service Pension Scheme (Scotland) Regulations 2008(29).

(2) In the provisions referred to in sub-paragraph (1)(c) and (d), omit the definition of “the 2003 Order”.

(3) For the definition of “CCT” in the provisions referred to in sub-paragraph (1)(a) to (d) substitute—

““CCT” means a Certificate of Completion of Training awarded under section 34L(1) of the Medical Act 1983, including any such certificate awarded in pursuance of the competent authority functions of the General Medical Council specified in section 49B of, and Schedule 4A to, that Act;”.

(4) For the definition of “GP trainer” in the provisions referred to in sub-paragraph (1)(a), (c) and (d) substitute—

““GP trainer” means a medical practitioner, other than a GP Registrar, who is approved by the General Medical Council for the purposes of providing training to a GP Registrar;”.

(5) For the definition of “GP Registrar” in the provisions referred to in sub-paragraphs (1)(b) and (d) and the definition of “GP registrar” in the provision referred to in sub-paragraph (1)(c) substitute—

““GP Registrar” means a medical practitioner who is being trained in general practice by a GP trainer, whether as part of training leading to a CCT or otherwise;”;

(23) [S.I.2007/1166](#). The relevant amending instrument is [S.I.2008/1083](#).

(24) [S.S.I.2008/230](#).

(25) [S.R.2009 No.32](#).

(26) [S.I.1995/300](#). The relevant amending instrument is [S.I.2005/661](#).

(27) [S.I.1995/365](#). The relevant amending instrument is [S.S.I.2005/512](#).

(28) [S.I.2008/653](#) to which there are amendments which are not relevant to this Order.

(29) [S.S.I.2008/224](#) to which there are amendments which are not relevant to this Order.

Draft Legislation: *This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:
The General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 No. 1250*