



Medical Act 1983

1983 CHAPTER 54

PART IV

GENERAL PROVISIONS CONCERNING REGISTRATION

30 The registers

- (1) The register of medical practitioners shall contain—
 - (a) in the principal list the names of persons entitled to be registered under section 3 or 15 above, or directed to be registered under section 19 or 21 above, but not entitled to be included in the overseas list;
 - (b) in the overseas list the names of persons entitled to be registered under section 3 or 15 above, or directed to be registered under section 19 or 21 above, who by virtue of regulations under section 31 below are for the time being entitled to be included in that list by reason of residence overseas;
 - (c) in the visiting overseas doctors list the names of persons from time to time directed to be registered under section 27 above; and
 - (d) in the visiting EEC practitioners list the names of persons entitled to be registered from time to time under section 18 above.
- (2) The register of medical practitioners with limited registration shall contain the names of persons granted limited registration under section 22 above.
- (3) Each register shall also contain the addresses and dates of registration of the persons registered in it, such of their qualifications as they are entitled to have registered under section 16 or 26 above and such other particulars (if any) of those persons as may be prescribed for that register.
- (4) It shall be the duty of the Registrar to keep the registers correct in accordance with the provisions of this Act and regulations made by the General Council, to erase the names of persons who have died, and from time to time to make the necessary alterations in the addresses, qualifications and other registered particulars of registered persons.
- (5) The Registrar may, by letter addressed to any person registered in either register at his address on the register, inquire whether he has changed his address and, if no answer

Status: This is the original version (as it was originally enacted).

is received to the inquiry within six months from the posting of the letter, may erase from the register the entry relating to that person.

- (6) On registering the death of a person registered in either register, a registrar of births and deaths shall, without charge to the Registrar, send forthwith by post to the Registrar a copy certified under his hand of the entry in the register of deaths relating to the death.
- (7) In this section " prescribed " means prescribed by regulations made under section 31 below.

31 Power to make regulations with respect to the registers

- (1) Subject to the provisions of this Act, the General Council may make regulations with respect to the form and keeping of the registers and the making of entries, alterations and corrections in them.
- (2) Regulations under this section may provide for the registers to be kept either by making entries in bound books or by recording the matters in question in any other manner; and if either register is not kept by making entries in bound books, adequate precautions shall be taken for guarding against, and facilitating the discovery of, falsification.
- (3) Different regulations may be made under this section by virtue of subsection (1) or (2) above in relation to the register of medical practitioners and the register of medical practitioners with limited registration.
- (4) Regulations under this section shall provide for the marking of the register of medical practitioners so as to distinguish those provisionally registered under section 15 above and those provisionally registered under section 21 above.
- (5) Regulations under this section shall, for the purposes of the register of medical practitioners, prescribe—
 - (a) the circumstances in which persons are to be treated for the purposes of this Act and of any regulations made by the General Council as residing overseas ;
 - (b) the conditions (which may include the making of an application in the prescribed manner) subject to which persons are to be entitled to be included in the overseas list by reason of residence overseas; and
 - (c) the circumstances in which persons are to cease to be entitled to be included in that list;

but regulations made in pursuance of this subsection shall not provide for a person to be treated for the purposes of this Act as residing overseas unless he resides outside the British Islands.

- (6) Regulations under this section may authorise the Registrar to erase from the overseas list of the register of medical practitioners the name of any person who has ceased to be entitled to be included in it, but any regulations made in pursuance of this subsection shall include provision for entitling a person whose name is erased from that list by virtue of this subsection otherwise than on his own application to appeal within a prescribed period to such committee of the General Council as may be prescribed.
- (7) On any appeal under subsection (6) above, the committee in question, after making such investigation (if any) of the appellant's conduct as they think fit, may if they think fit direct his name to be restored to the overseas list.
- (8) Regulations under this section may make provision with respect to the restoration to the registers or a particular list in the register of medical practitioners in which he was

registered of the name of any person whose name has been erased, from it by virtue of section 30(5) above or of any regulations made in pursuance of subsection (6) above or section 32(2) below.

(9) Regulations under this section made by virtue of subsection (8) above may include provision—

- (a) for authorising the Registrar, notwithstanding anything in this Act, to refuse to restore to the register or a particular list in it the name of any such person as is mentioned in that subsection unless he furnishes to the Registrar such evidence of his identity and good character as may be prescribed; and
- (b) for securing that, in such circumstances as may be prescribed, such a person's name is not so restored unless the General Council or a committee of the Council so direct after making such investigation of his conduct as they think fit;

but nothing in any regulation made in pursuance of this subsection shall apply to the restoration of a person's name to the overseas list of the register of medical practitioners in pursuance of a direction under subsection (7) above.

(10) Regulations made in pursuance of subsection (5), (6), (8) or (9) above shall not have effect until approved by order of the Privy Council.

(11) In this section "prescribed" means prescribed by regulations under this section.

32 Registration fees

(1) Subject to the provisions of this Act, the General Council may make regulations with respect to the charging of fees in connection with the making of entries in the register of medical practitioners, and in particular—

- (a) prescribing a fee to be charged on the entry of a name or qualification in the register or on the restoration of any entry to the register;
- (b) prescribing a fee to be charged in respect of the retention in the register of the name of a person in any year subsequent to the year beginning with the date on which he was first registered ;
- (c) authorising the Registrar, notwithstanding anything in this Act, to refuse to make any entry in, or restore any entry to, the register or a particular list in it until a fee prescribed by regulations under this section has been paid.

(2) Regulations under this section may authorise the Registrar to erase from the register of medical practitioners the name of—

- (a) any person who, after such notices and warnings as may be prescribed by the regulations, fails to pay a fee prescribed in pursuance of subsection (1) (b) above; or
- (b) any person who in the manner prescribed by the regulations applies for his name to be erased from the register on the ground that he does not wish to pay or continue to pay fees prescribed in pursuance of subsection (1)(b) above.

(3) If a person whose name has been erased from the register in accordance with regulations made in pursuance of subsection (2) above at any time pays—

- (a) such sum (if any) as may be prescribed for the purposes of this subsection by regulations under this section; and
- (b) the fee (if any) which, if his name had not been so erased, would be due from him in respect of the current year,

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

his name shall be restored to the register.

- (4) Regulations under this section shall not provide for any fee to be chargeable in respect of anything done in pursuance of a direction under section 41 below.
- (5) No fee shall be charged in relation to registration as a visiting EEC practitioner and accordingly this section shall not apply in relation thereto.
- (6) Where on an application in that behalf by any person a direction is given—
 - (a) that he be registered with limited registration under section 22 above; or
 - (b) for his name to be erased from the register of medical practitioners with limited registration by virtue of section 24(1) above,the General Council may include therein a direction that the right to registration or erasure conferred thereby shall be subject to the payment by him of such fee as may be specified in the direction.
- (7) Regulations under this section prescribing fees may provide for the charging of different fees in different cases and may provide that fees shall not be chargeable in cases prescribed by the regulations.
- (8) Regulations under this section shall not have effect until approved by order of the Privy Council.
- (9) For the avoidance of doubt it is hereby declared that in this section " entry " includes an entry by way of alteration of a previous entry.

33 Supplementary provisions about registration

Schedule 3 to this Act (which contains supplementary provisions about registration) shall have effect.

34 The Medical Register and the Overseas Medical Register

- (1) The Registrar shall in every year cause to be printed, published and sold, under the direction of the General Council, a publication called "the Medical Register", being a correct register of all persons appearing in the principal list in the register of medical practitioners, as existing on the 1st January in that year except those whose registration is for the time being suspended and those whose registration is for the time being subject to conditions.
- (2) The General Council may if they think fit direct in respect of any year that, in addition to the publication of the Medical Register in that year, the Registrar shall, at such time during that year as the Council may determine, cause to be printed, published and sold, under the direction of the Council, a publication called "the Overseas Medical Register", being a correct register of all persons appearing in the overseas list in the register of medical practitioners, as existing on such date in that year as the Council may direct, except those whose registration is for the time being suspended and those whose registration is for the time being subject to conditions.
- (3) The Medical Register and the Overseas Medical Register shall each be arranged so as to show the names of the persons included in it in alphabetical order of surnames, with their addresses and registered qualifications and such other particulars (if any) as the General Council may direct in relation to that Register.

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

- (4) A copy of either of the said publications purporting to be printed and published in accordance with subsection (1) or (2) above shall be evidence (and in Scotland sufficient evidence) that the persons specified therein are registered fully or provisionally in the principal list or the overseas list in the register of medical practitioners, as appears from the publication; and the absence of the name of any person both from such a copy of the Medical Register and from such a copy of the Overseas Medical Register shall be evidence (and in Scotland sufficient evidence) that he is not registered under section 3, 15, 19 or 21 above.
- (5) In the case of a person whose name does not appear either in the Medical Register or the Overseas Medical Register—
- (a) a certified copy, under the hand of the Registrar, of an entry relating to that person in the register of medical practitioners or the register of medical practitioners with limited registration shall be evidence (and in Scotland sufficient evidence) of that entry; and
 - (b) a certificate of registration issued under paragraph 5 of Schedule 3 to this Act in respect of that person shall be evidence (and in Scotland sufficient evidence) that he is registered fully or provisionally or with limited registration as appears from the certificate.