Changes to legislation: *Medical Act 1983, Cross Heading: Incidental powers and duties is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 1

THE GENERAL MEDICAL COUNCIL AND ITS COMMITTEES, AND THE BRANCH COUNCILS

PART II

INCIDENTAL POWERS AND DUTIES AND PROCEEDINGS OF THE GENERAL MEDICAL COUNCIL

[F1 Incidental powers and duties]

Textual Amendments

F1 Italic heading immediately preceding Sch. 1 para. 9 substituted (17.12.2002) by virtue of The Medical Act 1983 (Amendment) Order 2002 (S.I. 2002/3135), arts. 1(2)(h), **15(7)(a)** (with transitional provisions in Sch. 2)

9 It shall be within the capacity of the General Council as a corporation to do such things and enter into such transactions as are in their opinion incidental or conducive to the performance of their functions under this Act, including the borrowing of money.

[F2 9A (1) In exercising their functions, the General Council shall—

(a) have proper regard for—

(i) the interests of persons using or needing the services of provisionally or fully registered medical practitioners in the United Kingdom, and

(ii) any differing interests of different categories of provisionally or fully registered medical practitioners;

(b) co-operate, in so far as is appropriate and reasonably practicable, with public bodies or other persons concerned with—

(i) the employment (whether or not under a contract of service) of provisionally or fully registered medical practitioners,

(ii) the education or training of medical practitioners or other health care professionals,

(iii) the regulation of, or the co-ordination of the regulation of, other health or social care professionals,

(iv) the regulation of health services, and

(v) the provision, supervision or management of health services.

(2) In carrying out its duty to co-operate under sub-paragraph (1)(b), the General Council shall have regard to any differing considerations relating to practising as a medical practitioner which apply in England, Scotland, Wales or Northern Ireland.

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(3) In sub-paragraph (1), "other health care professionals" means persons regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002, other than the General Council.**]**

Textual Amendments

F2 Sch. 1 para. 9A substituted (1.1.2009) by The Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 (S.I. 2008/1774), art. 1(5), **Sch. 1 para. 21(3)**; S.I. 2008/2556, art. 2(2)(a)(i)

9B (1) For the purposes of ensuring that registered medical practitioners and the public are informed about the General Council and the exercise by them of their functions, the Council shall publish or provide in such manner as they think fit information about the Council and the exercise of their functions.

(2) Nothing in sub-paragraph (1) above authorises or requires the publication or provision of information if the publication or provision of that information is—

(a) prohibited by any enactment or the **[**[F3]UK GDPR**]**; or

(b) would constitute or be punishable as a contempt of court.

(3) In sub-paragraph (2) above "enactment" includes—

(a) an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament; and

(b) any provision of, or any instrument made under, Northern Ireland legislation.

[F4](4) . . . . . .

Textual Amendments

F3 Words in Sch. 1 para. 9B(2)(a) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 12(a)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

F4 Sch. 1 para. 9B(4) omitted (31.12.2020) by virtue of The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 12(b)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

10 For the purpose of enabling the General Council to compile or assist in the compilation of statistics relating to medical practice and practitioners the Council may from time to time issue to persons registered under this Act [F5]... requests for information on matters which in the opinion of the Council are relevant for that purpose.

Textual Amendments

F5 Words in Sch. 1 para. 10 omitted (31.12.2020) by virtue of The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/593), reg. 1(2), **Sch. 1 para. 31** (with reg. 12A, Sch. 1 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 9); 2020 c. 1, Sch. 5 para. 1(1)

11 The General Council may provide facilities for testing the knowledge of English of applicants for registration under **[**[F6]section **[**[F7]21B or 21C**]]** of this Act.

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Textual Amendments

F6 Words in Sch. 1 para. 11 substituted (17.12.2002) by The Medical Act 1983 (Amendment) Order 2002 (S.I. 2002/3135), arts. 1(2)(f), **9(3)** (with transitional provisions in Sch. 2)

F7 Words in Sch. 1 para. 11 substituted (19.7.2006 for specified purposes, 19.10.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by The Medical Act 1983 (Amendment) and Miscellaneous Amendments Order 2006 (S.I. 2006/1914), art. 1(2)(b)(c)(3), **42**

Changes to legislation:
Medical Act 1983, Cross Heading: Incidental powers and duties is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

– Act words substituted by 2005 c. 4 Sch. 11 para. 6

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 29B(2A)-(2C) inserted by S.I. 2008/3131 Sch. 1 para. 9(2)
– s. 29B(2A)(a) word substituted by S.I. 2010/234 Sch. 1 para. 2
– s. 29B(3A) inserted by S.I. 2008/3131 Sch. 1 para. 9(3)
– s. 29E(1)(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 12(2)(b)
– s. 29E(2)(e)(f) inserted by S.I. 2008/3131 Sch. 1 para. 12(3)(b)
– s. 29F(1)(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 14(3)
– s. 35C(2)(f)(g) inserted by S.I. 2008/1774 Sch. 1 para. 15 (This amendment not applied to legislation.gov.uk. It was due to come into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47), see art. 1(4). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
– s. 35ZA inserted by 2008 c. 14 Sch. 7 para. 4
– Sch. 1 para. 1A(1)(b)(iv)(v) inserted by S.I. 2024/374 Sch. 5 para. 1(2)(b)(iii)
– Sch. 3B para. 5(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 19(2)(b)
– Sch. 3B para. 6(1)(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 19(3)(a)(ii)
– Sch. 3B para. 6(2)(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 19(3)(b)(ii)
– Sch. 3B para. 7(1)(d)(e) inserted by S.I. 2008/3131 Sch. 1 para. 19(4)(a)(ii)
– Sch. 3B para. 7(2)(c) and word inserted by S.I. 2008/3131 Sch. 1 para. 19(4)(b)(ii)