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**Changes to legislation:** Medical Act 1983, Paragraph 4 is up to date with all changes known to be in force on or before 20 April 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

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## SCHEDULES

### [<sup>F1</sup>SCHEDULE 3A

#### REGISTRATION [<sup>F1</sup>AND TRAINING] APPEALS

##### Textual Amendments

- F1** Sch. 3A inserted (1.4.2005 as notified in the London Gazette dated 14.1.2005) by [The Medical Act 1983 \(Amendment\) Order 2002 \(S.I. 2002/3135\)](#), arts. 1(2)(3), **8(2)** (with Sch. 2)
- F1** Words in Sch. 3A heading inserted (11.2.2010 for specified purposes, 1.4.2010 in so far as not already in force) by [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2010 \(S.I. 2010/234\)](#), art. 1(3)(4), **Sch. 1 para. 17(2)**; S.I. 2010/478, art. 2(b)

##### Modifications etc. (not altering text)

- C1** Sch. 3A extended (30.9.2005 for specified purposes as notified in the London Gazette dated 26.8.2005, 1.4.2006 in so far as not already in force as notified in the London Gazette dated 26.8.2005) by [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2003 \(S.I. 2003/1250\)](#), arts. 1(2)(3), **18(6)**

#### *Appeals from appealable registration decisions*

- 4 (1) A person in respect of whom an appealable registration decision has been made may appeal against the decision to a Registration Appeals Panel.
- (2) An appeal under sub-paragraph (1) above shall be made by giving notice of appeal to the Registrar.
- (3) Any such notice of appeal must be given before the end of the period of 28 days beginning with the date on which notice of the decision was given under paragraph 3(1) above.
- This sub-paragraph is subject to any extension of time under paragraph 7 below.
- (4) In the case of an appeal by virtue of paragraph 3(2) [<sup>F2</sup>, (2A)] [<sup>F3</sup>or (3)] above, notice of appeal must be given before the end of the period of 28 days following the end of the requisite period.
- (5) Where a decision to erase or remove a medical practitioner from the register is an appealable registration decision, the decision shall not be carried into effect—
- (a) until the time for bringing any appeal against the decision has expired without an appeal being brought; or
- (b) where an appeal is brought, until the date on which the appeal is finally disposed of or abandoned or fails by reason of its non-prosecution.
- (6) Any rules made under paragraph 3 of Schedule 3B to this Act shall apply in relation to an appeal under this Schedule as they apply in relation to an appeal under section 29F of this Act.

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- (7) <sup>F4</sup> ... [<sup>F4</sup>Paragraph 2 of Schedule 4 and, subject to sub-paragraph (7A), paragraph 7 of that Schedule] shall apply in relation to proceedings under this Schedule before a Registration Appeals Panel as they apply to proceedings before [<sup>F5</sup>the Investigation Committee (where, in the case of paragraph 7, the Committee are considering giving a warning to a person)].
- [ Where the chair of a Registration Appeals Panel is a legally qualified person, <sup>F6</sup>(7A) paragraph 7 of Schedule 4 is to be taken to authorise but not require the General Council to appoint an assessor to the Panel under that paragraph.
- (7B) In sub-paragraph (7A), “legally qualified person” means a person who holds a general qualification within the meaning of section 71 of the Courts and Legal Services Act 1990 or who is an advocate or solicitor in Scotland or a member of the Bar of Northern Ireland or a solicitor of the Court of Judicature of Northern Ireland.]
- (8) In disposing of an appeal under this paragraph, a Registration Appeals Panel may determine to—
- (a) dismiss the appeal;
  - (b) allow the appeal and quash the decision appealed against;
  - (c) substitute for the decision appealed against any other decision which could have been made by the person making the decision;
  - (d) remit the case to the person making the decision to dispose of in accordance with the directions of the Registration Appeals Panel,
- and a Panel may make such order as to costs (or, in Scotland, expenses) as they think fit.
- (9) A Registration Appeals Panel shall, as soon as reasonably practicable—
- (a) give the person concerned, and the person making the decision, notice of the Panel’s determination on an appeal under sub-paragraph (1) above and of the reasons for that determination; and
  - (b) if that determination is not a determination under sub-paragraph (8)(b) above, give the person concerned notice of his right of appeal under paragraph 5 below.]

#### Textual Amendments

- F2** Word in Sch. 3A para. 4(4) inserted (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 3 para. 17(b)**
- F3** Words in Sch. 3A para. 4(4) inserted (11.2.2010 for specified purposes, 1.4.2010 in so far as not already in force) by [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2010 \(S.I. 2010/234\)](#), art. 1(3)(4), **Sch. 1 para. 17(7)(a)**; S.I. 2010/478, art. 2(b)
- F4** Words in Sch. 3A para. 4(7) substituted (11.2.2010 for specified purposes, 1.4.2010 in so far as not already in force) by [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2010 \(S.I. 2010/234\)](#), art. 1(3)(4), **Sch. 1 para. 17(7)(b)**; S.I. 2010/478, art. 2(b)
- F5** Words in Sch. 3A para. 4(7) substituted (31.12.2015) by [The General Medical Council \(Fitness to Practise and Over-arching Objective\) and the Professional Standards Authority for Health and Social Care \(References to Court\) Order 2015 \(S.I. 2015/794\)](#), arts. 1(3), **23(1)**; S.I. 2015/1952, art. 2(o)
- F6** Sch. 3A para. 4(7A)(7B) inserted (11.2.2010 for specified purposes, 1.4.2010 in so far as not already in force) by [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2010 \(S.I. 2010/234\)](#), art. 1(3)(4), **Sch. 1 para. 17(7)(c)**; S.I. 2010/478, art. 2(b)

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**Modifications etc. (not altering text)**

- C1** Sch. 3A para. 4 extended (30.9.2005 as notified in the London Gazette dated 26.8.2005) by [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2003 \(S.I. 2003/1250\)](#), art. 1(2)(3), **23(2)**

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**Changes and effects yet to be applied to :**

- Sch. 3A para. 4(7) words substituted by [2008 c. 14 Sch. 7 para. 21](#)

**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\(4\)\(b\)\(ii\)](#)