

## SCHEDULES

### SCHEDULE 4

#### PROCEEDINGS BEFORE PROFESSIONAL CONDUCT, HEALTH AND PRELIMINARY PROCEEDINGS COMMITTEES

##### *Procedure of and evidence before the Professional Conduct Committee and the Health Committee*

- 1 (1) Subject to the provisions of this paragraph, the General Council shall make rules for the Professional Conduct Committee and for the Health Committee with respect to the times and places of the meetings of the Committee and the mode of summoning the members, the reference of cases to the Committee (whether by the Preliminary Proceedings Committee or otherwise) and the procedure to be followed and rules of evidence to be observed in proceedings before the Committee.
- (2) Rules made under this paragraph for the Professional Conduct Committee shall include provision—
- (a) securing that notice that the proceedings are to be brought shall be given, at such time and in such manner as may be specified in the rules, to the person to whose registration the proceedings relate;
  - (b) securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Committee ;
  - (c) enabling any party to the proceedings to be represented by counsel or a solicitor, or (if the rules so provide and the party so elects) by a person of such other description as may be specified in the rules ;
  - (d) requiring proceedings before the Committee to be held in public except in so far as may be provided by the rules;
  - (e) requiring that where, in a case in which it is alleged that a person has been guilty of serious professional misconduct, the Committee judge that the allegation has not been proved they shall record a finding that the person is not guilty of such misconduct in respect of the matters to which the allegation relates.
- (3) Rules made under this paragraph for the Health Committee shall include provision—
- (a) securing that notice that the proceedings are to be brought shall be given, at such time and in such manner as may be specified in the rules, to the person to whose registration the proceedings relate ;
  - (b) securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Committee ;
  - (c) enabling any party to the proceedings to be represented by counsel or a solicitor, or (if the rules so provide and the party so elects) by a person of such other description as may be specified in the rules.

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

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- (4) Before making rules under this paragraph the General Council shall consult with such bodies of persons representing medical practitioners, or medical practitioners of any description, as appear to the Council requisite to be consulted.
- (5) Rules under this paragraph shall not come into force until approved by order of the Privy Council, and the Privy Council may approve such rules either as submitted to them or subject to such modifications as appear to them to be requisite; but where the Privy Council propose to approve any rules subject to modifications they shall notify to the General Council the modifications they propose to make and consider any observations of the General Council on them.