



Medical Act 1983

1983 CHAPTER 54

^{F1}PART IIIA

LICENCE TO PRACTISE AND REVALIDATION

Supplementary provisions

29E Evidence

(1) Regulations under section 29A above may make provision for a licensing authority—

- (a) to refuse to grant a licence to practise to a medical practitioner;
- (b) to withdraw a licence to practise from a medical practitioner; or
- (c) to refuse to restore a licence to practise to a medical practitioner,

in any case where the medical practitioner does not provide the licensing authority with such evidence or information as the authority may reasonably request for any of the purposes specified in subsection (2) below.

(2) The purposes are those of—

- (a) determining whether to grant a licence to practise to the practitioner;
- (b) revalidation of the practitioner;
- (c) determining whether to withdraw a licence to practise from the practitioner; and
- (d) determining whether to restore a licence to practise to the practitioner.

[^{F1}(2A) Regulations under section 29A above may include provision for or in connection with requiring a medical practitioner to supply information to a licensing authority (including information about his prospective, current or past employment as a medical practitioner) which, in the opinion of the licensing authority, will assist it in determining when and how to revalidate him.]

(3) For the purpose of carrying out any function under sections 29A to 29D above in relation to a medical practitioner, a licensing authority may require—

- (a) any medical practitioner (other than that practitioner); or

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- (b) any other person,
 who, in the opinion of the authority, is able to supply information, or produce any document, which appears relevant to the discharge of any such function, to supply such information or produce such a document.
- (4) For the purpose of reviewing procedures relating to—
- (a) revalidation; or
 - (b) the grant, withdrawal or restoration of a licence to practise,
- a licensing authority may require any medical practitioner or other person to supply information or produce any document.
- (5) Nothing in subsection (3) or (4) above shall require or permit any disclosure of information which is prohibited by or under any other enactment [^{F2}or the [^{F3}UK GDPR]].
- (6) But where information is held in a form in which the prohibition operates because the information is capable of identifying an individual, a licensing authority may, in exercising its functions under subsection (3) or (4) above, require that the information be put into a form which is not capable of identifying that individual.
- [^{F4}(7) In determining for the purposes of subsection (5) whether a disclosure is prohibited, it is to be assumed for the purposes of paragraph 5(2) of Schedule 2 to the Data Protection Act 2018 and paragraph 3(2) of Schedule 11 to that Act (exemptions from certain provisions of the data protection legislation: disclosures required by law) that the disclosure is required by this section.]
- (8) Subsections (3) and (4) do not apply in relation to the supplying of information or the production of a document which a person could not be compelled to supply or produce in civil proceedings before the relevant court (within the meaning of section 40(5) below).
- (9) In this section “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.
- ^{F5} ...

Textual Amendments

- F1** S. 29E(2A) inserted (19.7.2006, 3.12.2012 in so far as not already in force as notified in the London Gazette dated 2.11.2012) by [The Medical Act 1983 \(Amendment\) and Miscellaneous Amendments Order 2006 \(S.I. 2006/1914\)](#), arts. 1(2)(b)(c)(3), **66**
- F2** Words in s. 29E(5) inserted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 20(2)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F3** Words in s. 29E(5) 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. 9(2)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F4** S. 29E(7) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), **Sch. 19 para. 20(3)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F5** Words in s. 29E(9) 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. 9(3)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

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Modifications etc. (not altering text)

- C1** S. 29E(5)-(8) applied (3.12.2012) by The General Medical Council (Licence to Practise and Revalidation) Regulations Order of Council 2012 (S.I. 2012/2685), art. 1, **Sch. Regulations reg. 5(8)**
- C2** S. 29E(5)-(8) applied (3.12.2012) by The General Medical Council (Licence to Practise and Revalidation) Regulations Order of Council 2012 (S.I. 2012/2685), art. 1, **Sch. Regulations reg. 3(6)**
- C3** S. 29E(5)-(8) applied (3.12.2012) by The General Medical Council (Licence to Practise and Revalidation) Regulations Order of Council 2012 (S.I. 2012/2685), art. 1, **Sch. Regulations reg. 6(12)**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 29E(1)(b) word omitted by [S.I. 2008/3131 Sch. 1 para. 12\(2\)\(a\)](#)
- s. 29E(2)(c) word omitted by [S.I. 2008/3131 Sch. 1 para. 12\(3\)\(a\)](#)

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