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**Changes to legislation:** There are currently no known outstanding effects for the Medical (Professional Performance) Act 1995, Paragraph 16. (See end of Document for details)

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## SCHEDULE

### SUPPLEMENTARY AND CONSEQUENTIAL AMENDMENTS

#### *Medical Act 1983*

- 16 After paragraph 1(2) of that Schedule there shall be inserted—
- “(2A) Rules made under this paragraph for the Assessment Referral Committee shall include provision—
- (a) conferring on the Committee such functions as may be specified in the rules in relation to the handling of complaints about standards of professional performance;
  - (b) securing that before any case is considered by the Committee it shall have been considered by a member of the General Council appointed for the purpose by the Council and referred by that person to the Committee;
  - (c) 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;
  - (d) securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Committee;
  - (e) 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;
  - (f) requiring proceedings before the Committee to be held in private;
  - (g) for service on the person concerned of notice of any decision taken in relation to him by the Committee.
- (2B) Rules made under this paragraph for the Committee on Professional Performance shall include provision—
- (a) securing that where—
    - (i) proceedings relating to a person’s registration have been held before the Assessment Referral Committee, and
    - (ii) an assessment has been carried out in accordance with a direction of that Committee,the standard of that person’s professional performance shall, if he so requests, be considered by the Committee on Professional Performance;
  - (b) 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;
  - (c) securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Committee;
  - (d) 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;
  - (e) determining when proceedings before the Committee are to be held in public and when in private (including provision securing

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that proceedings are held in public if the person to whose registration they relate so requests).”

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