
STATUTORY INSTRUMENTS

1994 No. 2022

MEDICAL PROFESSION

The General Medical Council (Constitution
of Fitness to Practise Committees)
(Amendment) Rules Order of Council 1994

<i>Made</i>	- - - -	<i>29th July 1994</i>
<i>Laid before Parliament</i>		<i>1st August 1994</i>
<i>Coming into force</i>	- -	<i>22nd August 1994</i>

At the Council Chamber, Whitehall, the 29th day of July 1994
By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in pursuance of paragraphs 21 and 22 of Schedule 1 to the Medical Act 1983⁽¹⁾ the General Medical Council have made the General Medical Council (Constitution of Fitness to Practise Committees) (Amendment) Rules 1994 as set out in the Schedule to this Order:

And whereas by paragraph 24 of the said Schedule, such rules shall not come into force until approved by Order of the Privy Council:

Now, therefore, Their Lordships, having taken the said rules into consideration, are hereby pleased to approve the same.

This Order may be cited as the General Medical Council (Constitution of Fitness to Practise Committees) (Amendment) Rules Order of Council 1994, and shall come into force on 22nd August 1994.

N. H. Nicholls
Clerk of the Privy Council

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

THE GENERAL MEDICAL COUNCIL (CONSTITUTION OF FITNESS TO PRACTISE COMMITTEES) (AMENDMENT) RULES 1994

The General Medical Council, in exercise of their powers under paragraphs 21 and 22 of Schedule 1 to the Medical Act 1983, hereby make the following rules:—

Citation, commencement and interpretation

1.—(1) These rules may be cited as the General Medical Council (Constitution of Fitness to Practise Committees) (Amendment) Rules 1994.

(2) In these rules Rule 1(3) and Rule 2(5) shall come into force on 22nd August 1994, and the remainder of these rules on 1st November 1994.

(3) In these rules “general election year” means any year in which there is a general election of elected members of the Council; and “the principal rules” mean the General Medical Council (Constitution of Fitness to Practise Committees) Rules 1986(2).

Amendment of the principal rules

2.—(1) The principal rules shall be amended in accordance with the following provisions.

(2) In Rule 2 (Interpretation) a semi-colon shall be substituted for the full-stop at the end of the rule, and the following further definition shall be added: ““medical member” means an elected member or an appointed member.”.

(3) In Rule 4 (Composition of the Professional Conduct Committee)—

(a) in paragraph (1)

(i) for the number “thirty-two” there shall be substituted the number “thirty-four”;

(ii) for sub-paragraph (c) there shall be substituted:

“(c) twenty-two elected members, two appointed members and eight lay members, who shall be elected by the Council in accordance with Rules 6 to 9 of these rules”.

(b) for paragraph (4) there shall be substituted the following—

“(4) Eight members of the Committee shall be invited to attend for the hearing of any case, who shall be selected so as to comprise six medical members, including the Chairman, the Deputy Chairman or both, and two lay members. Subject to the foregoing provision, the members invited to sit at any meeting shall so far as practicable be chosen in rotation from all the members of the Committee.”;

(c) for paragraph (6) there shall be substituted the following—

“(6) The quorum shall be five and shall include at least one lay member.”.

(4) In Rule 5 (Composition of the Health Committee) in paragraph (1)

(i) for the number “twelve” there shall be substituted the number “thirteen”;

(ii) in sub-paragraph (c) for the words “one lay member” there shall be substituted the words “two lay members”.

(5) For Rule 6 (Time of election and tenure of office) there shall be substituted the following—

“6.—(1) Unless the Council in special circumstances shall otherwise direct, the elections of persons to the Fitness to Practise Committees shall be conducted by post during the four

(2) Approved by S.I. 1986/1390, and amended by rules appended to S.I. 1987/1120.

months before the first meeting of the Council held on or after 1st November in each year and the results of those elections shall be announced at that meeting.

(2) Subject to paragraph (3), members elected to the Fitness to Practise Committees in accordance with paragraph (1) shall hold office for the next subsequent calendar year.

(3) Persons elected to the Fitness to Practise Committees in accordance with paragraph (1) to hold office in a general election year shall hold office from 1st January to 31st October in that year; and persons elected to those Committees in a general election year shall hold office from the date of the first meeting of the Council on or after 1st November in that year until the end of the following calendar year.

(4) Subject to any directions which the Council may give and to the provisions of these rules, members of each Committee shall be eligible for re-election.”

Revocation

3. In the General Medical Council (Constitution of Fitness to Practise Committees) (Amendment) Rules 1987(3)Rule 2(2)(a), and 2(2)(b) except in its effect in relation to paragraph (5) of the principal rules, are hereby revoked.

Given under the official seal of the General Medical Council this twenty-fifth day of May, nineteen hundred and ninety-four.

Robert Kilpatrick
President

EXPLANATORY NOTE

(This note is not part of the Order)

The rules approved by this Order amend earlier rules governing the constitution of the General Medical Councils Fitness to Practise Committees. The amendments

- increase the elected and lay membership, and reduce the appointed membership, of the Professional Conduct Committee (PCC);
- provide for eight, instead of eleven, members of the PCC to be invited to attend the hearing of any case, and reduce the quorum from six to five (including at least one lay member);
- add a further lay member to the membership of the Health Committee;
- clarify provisions relating to the timing of elections and tenure of office of members of the Committees.