
STATUTORY INSTRUMENTS

2000 No. 1803

The Medical Act 1983 (Amendment) Order 2000

Amendment of section 41

9. In section 41 (restoration of names to the register)—

- (a) in subsection (1), for “subsection (2)” there shall be substituted “subsections (2) and (5)”;
- (b) in subsection (2)(a), for “ten months” there shall be substituted “five years”;
- (c) in subsection (2)(b), for “ten months” there shall be substituted “twelve months”;
- (d) after subsection (4) there shall be added—

“(5) Before determining whether to give a direction under subsection (1), the Professional Conduct Committee shall require an applicant for restoration to provide such evidence as they direct as to one or more of his good character, professional competence and health; and they shall not give such a direction if that evidence does not satisfy them.

(6) Where, during the same period of erasure, a second or subsequent application for the restoration of a name to the register, made by or on behalf of the person whose name has been erased, is unsuccessful, the Professional Conduct Committee may direct that his right to make any further such applications shall be suspended indefinitely.

(7) Where the Professional Conduct Committee give a direction under subsection (6), the Registrar shall without delay serve on the person in respect of whom it has been made a notification of the direction and of his right to appeal against it in accordance with section 40.

(8) Any person in respect of whom a direction has been given under subsection (6) may, after the expiration of three years from the date on which the direction was given, apply to the Professional Conduct Committee for that direction to be reviewed by the Committee and, thereafter, may make further applications for review; but no such application may be made before the expiration of three years from the date of the most recent review decision.”.