
STATUTORY INSTRUMENTS

2002 No. 3135

The Medical Act 1983 (Amendment) Order 2002

PART IV

REGISTRATION

Registration

6.—(1) Part III (registration of persons qualifying overseas) is amended as follows.

(2) For section 19 (full registration of persons by virtue of recognised overseas qualifications) substitute—

“19 Full registration of EEA nationals etc. by virtue of overseas primary qualifications etc.

(1) Where an exempt person satisfies the Registrar—

- (a) that he holds an acceptable overseas qualification other than a primary European qualification;
- (b) that he has acquired experience in the practice of medicine, whether in the course of employment in the United Kingdom or in the course of employment outside the United Kingdom, which is not less extensive than that required for a certificate under section 10 above; and
- (c) that he is of good character,

that person shall, if the General Council think fit so to direct, be registered under this section as a fully registered medical practitioner.

(2) In this Act “exempt person” means a person who—

- (a) is a national of an EEA State other than the United Kingdom;
- (b) is a national of the United Kingdom who is exercising an enforceable Community right; or
- (c) is not a national of an EEA State, but is, by virtue of a right conferred by article 11 of Regulation (EEC) No 1612/68, or any other enforceable Community right, entitled to be treated, for the purposes of access to the medical profession, no less favourably than a national of such a State.

(3) In determining an application by any person for registration under this section, the General Council shall take into account—

- (a) if the applicant holds a qualification granted outside the European Economic Area which has been accepted by another EEA State as qualifying him to practise as a medical practitioner in that State, the acceptance of the qualification; and
- (b) all medical qualifications, knowledge or experience, wherever acquired, which are relevant to the determination of his application.

(4) Subsection (4) of section 10 above shall apply to a person prevented from embarking on, or completing, a period of experience required for the purposes of this section as it applies to a person prevented from embarking on, or completing, a period of experience required for the purposes of that section.”.

(3) Omit section 20(experience required for full registration by virtue of recognised overseas qualifications).

(4) In section 21 (provisional registration)—

(a) in subsection (1) for “section 20(2)(a)” substitute “ section 19(1)(b) ”;

(b) in subsection (2) omit “, (b)”;

(c) for subsection (2A) substitute—

“(2A) Subsection (3) of section 19 above applies in relation to an application for registration under this section as it applies in relation to an application for registration under that section.”

(5) After section 21 insert—

“21A Full registration for eligible specialists and qualified general practitioners

(1) Where a person satisfies the Registrar—

(a) that he holds an acceptable overseas qualification other than a primary European qualification;

(b) that he is an eligible specialist or a qualified general practitioner;

(c) that he is of good character; and

(d) that he has the necessary knowledge of English or is an exempt person,

that person shall, if the General Council think fit so to direct, be registered under this section as a fully registered medical practitioner.

(2) In subsection (1)(b) above—

“eligible specialist” means a person—

(a) who—

(i) has specialist medical qualifications awarded outside the United Kingdom in a medical specialty in which the United Kingdom awards a CCST, and

(ii) has satisfied the competent authority that those qualifications are equivalent to a CCST; or

(b) who—

(i) has specialist medical qualifications awarded outside the United Kingdom in a specialty in which the United Kingdom does not award a CCST, or

(ii) has knowledge of or experience in any medical specialty derived from academic or research work,

and has satisfied the competent authority that these give him a level of knowledge and skill consistent with practice as a consultant in that specialty in the National Health Service; and

“qualified general practitioner” means a person who has been awarded a Certificate of Equivalent Experience by the Joint Committee on Postgraduate Training for General Practice.

(3) In this section—

“CCST” means a Certificate of Completion of Specialist Training; and

“competent authority” means the competent authority for the purpose of article 9(2) and (3) of the European Specialist Medical Qualifications Order 1995.”.

F1(6)

F1(7)

F1(8)

(9) In section 26 (registration of qualifications)—

(a) in subsection (1)—

(i) for “19 or 21” substitute “ 19, 21 or 21A ”,

(ii) for “recognised overseas qualification or qualifications” substitute “ acceptable overseas qualification ”,

(iii) omit paragraph (a), and

(iv) in paragraph (b) for the words from “subject to” to “(other than a recognised overseas qualification)” substitute “ subject to subsection (3) below, any overseas qualification ”.

F2(b)

F3(10)

(11) Omit sections 28(the Review Board for Overseas Qualified Practitioners) and 29 (functions of the Review Board).

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| F1 | Art. 6(6)-(8) revoked (19.7.2006 for specified purposes, 19.10.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by The Medical Act 1983 (Amendment) and Miscellaneous Amendments Order 2006 (S.I. 2006/1914) , arts. 1(2)(b)(c)(3), 80(b)(i) |
| F2 | Art. 6(9)(b) revoked (19.7.2006 for specified purposes, 19.10.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by The Medical Act 1983 (Amendment) and Miscellaneous Amendments Order 2006 (S.I. 2006/1914) , arts. 1(2)(b)(c)(3), 80(b)(i) |
| F3 | Art. 6(10) revoked (19.7.2006 for specified purposes, 19.10.2007 in so far as not already in force as notified in the London Gazette dated 20.7.2007) by The Medical Act 1983 (Amendment) and Miscellaneous Amendments Order 2006 (S.I. 2006/1914) , arts. 1(2)(b)(c)(3), 80(b)(i) |

Changes to legislation:

There are currently no known outstanding effects for the The Medical Act 1983 (Amendment) Order 2002, Section 6.