
STATUTORY INSTRUMENTS

2002 No. 3135

The Medical Act 1983 (Amendment) Order 2002

PART II

THE GENERAL MEDICAL COUNCIL

Main objective of the General Council

3. In section 1 (the General Medical Council) after subsection (1) insert—
- “(1A) The main objective of the General Council in exercising their functions is to protect, promote and maintain the health and safety of the public.”.

Amendments of Schedule 1

4.—(1) Schedule 1 (the General Medical Council and its committees, and the branch councils) is amended as follows.

- (2) In paragraph 1 after sub-paragraph (2) insert—

“(3) The General Council shall consist of no more than 35 members.”.

- (3) In paragraph 2—

- (a) after sub-paragraph (1) insert—

“(1A) The provision that may be made by an electoral scheme includes provision for any of the constituencies listed in sub-paragraph (1)(a) to (d) above to be divided into two or more separate constituencies.”;

- (b) for sub-paragraph (4) substitute—

“(4) The persons qualified to elect the elected members for any constituency shall be those who, on a date determined in accordance with the electoral scheme—

- (a) are resident in the constituency for which the election is held;
- (b) are fully registered, provisionally registered or registered with limited registration; and
- (c) are holders of licences to practise.”;

and

- (c) for sub-paragraph (5) substitute—

“(5) A person shall not be qualified to be elected as an elected member unless he—

- (a) is fully registered, provisionally registered or registered with limited registration; and
- (b) holds a licence to practise.

(5A) An electoral scheme shall make provision for the disclosure to those qualified to vote at an election of information (including information concerning fitness to practise) relating to a person seeking election.”.

- (4) In paragraph 3 for sub-paragraphs (1) and (2) substitute—
- “(1) Appointed members shall be chosen by such bodies as are designated for the time being as appointing bodies by an Order in Council under section 1 of this Act.
- (2) A person shall not be qualified to be chosen as an appointed member unless he—
- (a) is fully registered, provisionally registered or registered with limited registration; and
- (b) holds a licence to practise.”.
- (5) In paragraph 4 for sub-paragraph (3) substitute—
- “(3) A nominated member shall be a person who is neither fully registered nor a holder of any qualification registrable under this Act.”.
- (6) After paragraph 4 insert—

“Suspension or removal from office of members

4A.—(1) The General Council shall by rules make provision for the suspension or removal from office of a member by the General Council in such circumstances as may be specified in the rules.

(2) Rules under sub-paragraph (1) above shall provide for an elected member or an appointed member to be removed from office if he ceases—

- (a) to be registered; or
- (b) to hold a licence to practise.

(3) Standing orders of the General Council shall make provision for the procedure by which a member may be suspended or removed from office.

(4) No rules under sub-paragraph (1) above shall come into force until approved by order of the Privy Council.

Registration of members’ private interests

4B.—(1) The General Council must establish and maintain a system for the declaration and registration of private interests of members of the Council.

(2) The General Council must publish entries recorded in the register of members’ private interests.”.

- (7) For paragraph 7 substitute—

“7.—(1) Notwithstanding paragraph 1(2) above, an Order in Council under section 1 of this Act—

- (a) may make provision permitting elections to fill casual vacancies among the elected members to be held together, but
- (b) may not permit a casual vacancy among the elected members to be left unfilled for a period exceeding six months, except in accordance with paragraph (c) below, and
- (c) may make provision that a casual vacancy among the elected members need not be filled if the unexpired term of the elected member giving rise to the vacancy is less than twelve months.

(2) In sub-paragraph (1) above the “unexpired term” means the period beginning with the date on which the member ceased to be a member and ending with the date on which his full term of office would have expired.”.

(8) For paragraph 13 substitute—

“**13.** The quorum of the General Council shall be prescribed by Her Majesty by Order in Council made under section 1 of this Act.”.

Changes to legislation:

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