

SCHEDULE 10

Article 31(5)

CONSEQUENTIAL AMENDMENTS TO, AND REVOCATIONS OF, SECONDARY LEGISLATION

PART 1

CONSEQUENTIAL AMENDMENTS

The National Health Service (General Medical Services) Regulations 1992

1. In the National Health Service (General Medical Services) Regulations 1992(1)—
 - (a) in regulation 18E(1) (criteria for approval and nomination), sub-paragraph (a) shall be omitted;
 - (b) in regulation 25 (temporary provision of services), for paragraph (6A) substitute—

“(6A) No doctor may be appointed under paragraph (2) or (6) unless he is included by a Health Authority, Local Health Board or Primary Care Trust in a medical list, a medical supplementary list in accordance with section 43D of the Act, or is named as a performer of personal medical services in a pilot scheme.”;
 - (c) in Schedule 2 (terms of service for doctors)—
 - (i) in paragraph 21A (which applies to England only), for sub-paragraph (2)(a)(iii), there shall be substituted—

“(iii) will, unless he is a trainee general practitioner acting in the place of and under the supervision of the doctor responsible for his training—

 - (aa) be an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (other than by virtue of being a restricted services principal) during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
 - (bb) have his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order (other than by virtue of being a restricted services principal),”
 - (ii) in paragraph 22 (which applies to Wales only), for sub-paragraph (2)(a)(iii), there shall be substituted—

“(iii) will, unless he is a trainee general practitioner acting in the place of and under the supervision of the doctor responsible for his training—

 - (aa) be an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (other than by virtue of being a restricted services principal) during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
 - (bb) have his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article

(1) S.I. 1992/635, relevant amendments to which were made by S.I. 1998/2838, 2001/3742 and 2003/26.

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- 10(1) of that Order (other than by virtue of being a restricted services principal), and”, and
- (iii) in paragraph 22A—
- (aa) for sub-paragraph (a) there shall be substituted—
- “(a) either—
- (i) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (other than by virtue of being a restricted services principal) during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
- (ii) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order (other than by virtue of being a restricted services principal); or”, and
- (bb) sub-paragraph (b) shall be omitted;
- (d) in Schedule 3 (information to be considered by a Primary Care Trust when deciding whether or not to declare a vacancy), in Part III, for paragraph 5 there shall be substituted—
- “5. Medical qualifications and experience, and evidence that the doctor—
- (a) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications Order) 2003 during the transitional period set out in paragraph 21 of Schedule 8 to that Order; or
- (b) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order.”; and
- (e) in Schedule 12 (information to be included in practice leaflets), for paragraph 20 there shall be substituted—
- “20. If the practice has practitioners that are approved for the purposes of providing the training to GP Registrars referred to in article 5(1)(c)(i) of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, or if the practice undertakes the teaching of undergraduate medical students, the nature of the arrangements for drawing this to the attention of patients.”.

The Medical Act 1983 (Approved Medical Practice and Conditions of Residence) and National Health Service (General Medical Services) (Amendment) Regulations 1998

2. In regulation 2 of the Medical Act 1983 (Approved Medical Practice and Conditions of Residence) and National Health Service (General Medical Services) (Amendment) Regulations 1998(2), for sub-paragraph (1)(b) substitute—

- “(b) “training practitioner” means a practitioner approved for the purposes of providing the training to GP Registrars referred to in article 5(1)(c)(i) of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003.”.

(2) [S.I. 1998/1664](#), relevant amendments to which were made by [S.I. 2000/3040](#).

The National Health Service (Appointment of Consultants) Regulations 1996

3. In the National Health Service (Appointment of Consultants) Regulations 1996(3), for regulation 4(b) (registration requirements), there shall be substituted—

“(b) in the case of an appointment of a registered medical practitioner made after the coming into force of article 13(1) of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, his name is included in the Specialist Register kept by the General Medical Council pursuant to article 13(1) of that Order.”.

The National Health Service (Appointment of Consultants) (Wales) Regulations 1996

4. In the National Health Service (Appointment of Consultants) (Wales) Regulations 1996(4), for regulation 4(b) (registration requirements), there shall be substituted—

“(b) in the case of an appointment of a registered medical practitioner made after the coming into force of article 13(1) of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, his name is included in the Specialist Register kept by the General Medical Council pursuant to article 13(1) of that Order.”.

The National Health Service (Pilot Schemes: Miscellaneous Provisions and Consequential Amendments) Regulations 1998

5. In the National Health Service (Pilot Schemes: Miscellaneous Provisions and Consequential Amendments) Regulations 1998(5), regulation 5 (persons who may perform personal medical services) shall be omitted.

The Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999

6. In the Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999(6), the entry in the table in the Schedule to the Order relating to the Joint Committee on General Practitioner Training shall be omitted.

The National Health Service (General Medical Services Supplementary List) Regulations 2001

7. In the National Health Service (General Medical Services Supplementary List) Regulations 2001(7)—

(a) in regulation 4(2) (application for inclusion in the supplementary list), for subparagraph (e) there shall be substituted—

“(e) medical qualifications and where they were obtained, and a copy of evidence confirming that the applicant—

- (i) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, if the application has been made during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
- (ii) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order, and”;

(3) [S.I. 1996/701](#).

(4) [S.I.1996/1313](#).

(5) [S.I. 1998/646](#), relevant amendments to which were made by [S.I. 2002/543](#).

(6) [S.I. 1999/1319](#).

(7) [S.I. 2001/3740](#), relevant amendments to which were made by [S.I. 2002/848](#).

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- (b) in regulation 6(2) (grounds for refusal), for sub-paragraph (d) substitute—
- “(d) if it is not satisfied that he—
- (i) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, if the Primary Care Trust is determining the application during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
 - (ii) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order, and”.

The National Health Service (General Medical Services Supplementary List) (Wales) Regulations 2002 (Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestr Atodol Gwasanaethau Meddygol Cyffredinol) (Cymru) 2002)

8. In the National Health Service (General Medical Services Supplementary List) (Wales) Regulations 2002(**8**)—

- (a) in regulation 4(2) (application for inclusion in the supplementary list), for sub-paragraph (e), there shall be substituted—
- “(e) medical qualifications and where they were obtained, and a copy of evidence confirming that the applicant—
- (i) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, if the application has been made during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
 - (ii) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order, and”;
- (b) in regulation 6(2) (grounds for refusal), for sub-paragraph (d) substitute—
- “(d) if it is not satisfied that he—
- (i) is an eligible general practitioner pursuant to paragraph 22 of Schedule 8 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003, if the Health Authority or Local Health Board is determining the application during the transitional period set out in paragraph 21 of Schedule 8 to that Order, or
 - (ii) has his name included in the General Practitioner Register maintained by the General Medical Council pursuant to article 10(1) of that Order, and”.

Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestr Atodol Gwasanaethau Meddygol Cyffredinol) (Cymru) 2002 (The National Health Service (General Medical Services Supplementary List) (Wales) Regulations 2002)

9. Yn Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestr Atodol Gwasanaethau Meddygol Cyffredinol) (Cymru) 2002(**9**)—

- (a) yn rheoliad 4(2) (cais i gynnwys enw yn y rhestr atodol) yn lle is-baragraff (d), rhodder—
- “(d) cymwysterau meddygol ac ym mhle y cafwyd hwy, a chopi o'r dystiolaeth sy'n cadarnhau bod y ceisydd—

(8) S.I. 2002/1882(W.191), relevant amendments to which were made by S.I. 2002/2802 (W.270).

(9) O.S. 2002/1882 (Cy. 191), y gwnaed diwygiadau perthnasol iddo gan O.S. 2002/2802 (Cy. 270).

- (i) yn ymarferydd cyffredinol cymwys yn unol â pharagraff 22 o Atodlen 8 i Orchymyn Ymarfer Meddygol Cyffredinol ac Arbenigol (Addysg, Hyfforddiant a Chymwysterau) 2003, os cafodd y cais ei wneud yn ystod y cyfnod trosiannol a nodir ym mharagraff 21 o Atodlen 8 i'r Gorchymyn hwnnw, neu
 - (ii) wedi cael cynnwys ei enw yn y Gofrestr o Ymarferwyr Cyffredinol a gedwir gan y Cyngor Meddygol Cyffredinol yn unol ag erthygl 10(1) o'r Gorchymyn hwnnw, ac”;
- (b) yn rheoliad 6(2) (rhesymau dros wrthod), yn lle is-baragraff (ch) rhodder—
- “(ch) os nad yw'n fodlon bod y meddyg—
- (i) yn ymarferydd cyffredinol cymwys yn unol â pharagraff 22 o Atodlen 8 i Orchymyn Ymarfer Meddygol Cyffredinol ac Arbenigol (Addysg, Hyfforddiant a Chymwysterau) 2003, os yw'r Awdurdod Iechyd neu'r Bwrdd Iechyd Lleol yn penderfynu'r cais yn ystod y cyfnod trosiannol a nodir ym mharagraff 21 o Atodlen 8 i'r Gorchymyn hwnnw, neu
 - (ii) wedi cael cynnwys ei enw yn y Gofrestr o Ymarferwyr Cyffredinol a gedwir gan y Cyngor Meddygol Cyffredinol yn unol ag erthygl 10(1) o'r Gorchymyn hwnnw, a”.

PART 2

REVOCATIONS

Instrument revoked	References	Extent of revocation
National Health Service (Vocational Training for General Medical Practice) Regulations 1997	S.I.1997/2817	The whole Regulations
National Health Service (Vocational Training for General Medical Practice) Amendment Regulations 1998	S.I. 1998/669	The whole Regulations
National Health Service (Vocational Training for General Medical Practice) (Scotland) Regulations 1998	S.I. 1998/5	The whole Regulations
National Health Service (Vocational Training for General Medical Practice) (Scotland) Amendment Regulations 2000	S.S.I. 2000/23	The whole Regulations
Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1998	S.R. 1998 No.13	The whole Regulations
Vocational Training for General Medical Practice	S.I. 1994/3130	The whole Regulations

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Instrument revoked	References	Extent of revocation
(European Requirements) Regulations 1994		
European Specialist Medical Qualifications Order 1995	S.I. 1995/3208	The whole Order
European Specialist Medical Qualifications Amendment Regulations 1997	S.I. 1997/2928	The whole Regulations
European Specialist Medical Qualifications Amendment Regulations 1999	S.I. 1999/1373	The whole Regulations
European Specialist Medical Qualifications Amendment (No.2) Regulations 1999	S.I. 1999/3154	The whole Regulations
European Specialist Medical Qualifications Amendment Regulations 2002	S.I. 2002/849	The whole Regulations
National Health Service (England) (Pilot Schemes: Miscellaneous Provisions and Consequential Amendments) Amendment Regulations 2002	S.I. 2002/543	The whole Regulations
The National Health Service (General Medical Services Supplementary List) (Amendment) Regulations 2002	S.I. 2002/848	The whole Regulations