
STATUTORY INSTRUMENTS

2006 No. 1914

**The Medical Act 1983 (Amendment) and
Miscellaneous Amendments Order 2006**

PART 17

Transitional, transitory and saving provisions

Transfer of names from the register of medical practitioners with limited registration to the register of medical practitioners

84.—(1) Subject to paragraph (2), if immediately before article 4 comes into force a person's name is included in the register of medical practitioners with limited registration, he shall be registered in the principal list of the register of medical practitioners with effect from the day on which article 4 comes into force—

- (a) as a fully registered person; or
- (b) as a provisionally registered person, if the direction by virtue of which he was registered with limited registration had the effect of limiting his registration to registration for the purposes of—
 - (i) employment as a pre-registration house officer, or
 - (ii) participating in a programme for provisionally registered doctors.

(2) If, immediately before article 4 comes into force, a person's name is included in the register of medical practitioners with limited registration but his registration is suspended (whether temporarily or indefinitely) or he is the subject of proceedings which, but for the closure of the register of medical practitioners with limited registration, could have led to the erasure of his name from or his suspension from that register, the Registrar—

- (a) may determine that his name is not to be entered into the register of medical practitioners; and
- (b) shall, in any event, dispose of the matter in such manner as he considers just (which may include delaying entering his name in the register of medical practitioners until a suspension is terminated).

(3) Where a person's name has been erased from the register of medical practitioners with limited registration (or is due to be erased, pending the outcome of an appeal)—

- (a) if he appeals successfully against erasure and that appeal is determined after this article comes into force, his name shall be entered in the register of medical practitioners; and
- (b) if he applies to have his name entered in the register after this article comes into force, the Registrar may, in appropriate cases, determine that the application is to be treated as an application for restoration to the register under—

- (i) section 41 of the Act, or
- (ii) regulations made under section 31 or 31A of the Act.

(4) Where a person is registered in the register of medical practitioners by virtue of this article—

- (a) if his previous registration in the register of medical practitioners with limited registration was subject to any condition, other than a limitation imposed by virtue of section 22 of the Act which does not relate to a fitness to practise matter, the Registrar may determine that his registration in the register of medical practitioners is to be subject to the same condition; and
 - (b) for the purposes of section 44D(1) of the Act, if he is fully registered, he shall be treated as newly fully registered under section 21B of the Act on the date he is registered by virtue of this article.
- (5) Where a condition that relates to a fitness to practice matter is imposed by virtue of paragraph (4)(a), that condition is to be considered a condition imposed by virtue of a direction for conditional registration given by a Fitness to Practise Panel under section 35D of the Act, except that—
- (a) section 35E(1) shall not apply to the determination of the Registrar under paragraph (4)(a); and
 - (b) the direction (if still in force) shall be reviewed by a Fitness to Practice Panel (once, pursuant to this paragraph)—
 - (i) if the person on whom the condition is imposed requests them to do so, or
 - (ii) not more than three years after the condition was originally imposed or last reviewed (before the person was registered in the principal list), whichever is the later.