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STATUTORY INSTRUMENTS

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**2007 No. 2796**

**The Medical Act 1983 Amendments (Further Transitional Provisions) Order of Council 2007**

**Transitional provisions relating to fraud or error cases**

**3.—**(1) Subject to paragraph (2), any allegation that an entry in the register has been fraudulently procured or incorrectly made that is being dealt with under section 39 of the Act<sup>(1)</sup> (which relates to fraud or error in relation to registration) on 18th October 2007 shall thereafter be dealt with under section 39 of the Act as substituted on 19th October 2007 by the Amending Order.

(2) If, in a case where it appears to the Registrar that a person's entry in the register may have been—

- (a) incorrectly made but not fraudulently procured, and the Registrar has, prior to 19th October 2007, written to the person in accordance with rule 4(1) of the Fraud or Error Rules; or
- (b) fraudulently procured, and the Registrar has, prior to 19th October 2007, referred the matter to the President in accordance with rule 5(1) of the Fraud or Error Rules,

that case shall be dealt with under sections 39 and 40 of the Act<sup>(2)</sup>, as in force on 18th October 2007, and the Fraud or Error Rules.

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(1) On 18th October 2007 section 39 will be as inserted by [S.I. 2002/3135](#).

(2) In so far as is relevant to the provisions of this Order, on 18th October 2007 section 40 will be as inserted by [S.I. 2002/3135](#).