
EXPLANATORY NOTE

(This note is not part of the Order)

The Rules approved by this Order provide for the procedure to be followed by a Registration Appeals Panel (“the Panel”) when determining an appeal by a person against the decisions specified in Schedule 3A to the Medical Act 1983 (c.54) (“the Act”) (decisions relating to the registration of a medical practitioner) or a decision of a licensing authority under section 29F(1) of that Act (decisions relating to licence to practise as a medical practitioner).

The Rules revoke the existing rules relating to procedures for appeals before the Panel (scheduled to S.I.2005/400) and re-enact them with amendments so that those procedures relate to appeals against refusals to grant or decisions to withdraw, licenses to practise, refusals to grant applications for inclusion in the General Practitioner Register and the Specialist Register and also appeals relating to a failure to deal with applications for inclusion in those registers within the requisite period. The latter two classes of decision are brought within the scope of that Schedule by the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010 (S.I.2010/234).

The Rules make provision in respect of—

- (a) the requisite periods after making an application when a party can bring an appeal to the Panel where that application has not been dealt with by the General Council (rule 3);
- (b) selection of specialist advisors (rule 4);
- (c) the notice of appeal and the form the appeal is to take (rule 5);
- (d) the documents to be provided to the Panel prior to a hearing (rule 6);
- (e) the giving of directions in respect of the conduct of the case (rule 7);
- (f) the notice of meeting or hearing (rule 8);
- (g) withdrawal, strike out or postponement (rule 9);
- (h) the procedure to be followed at a hearing before the Panel (rule 10);
- (i) costs orders (rule 11);
- (j) who may represent the appellant at a hearing (rule 12);
- (k) how the Panel should proceed if the appellant is not represented or present at the hearing (rule 13);
- (l) evidence before the Panel (rule 14);
- (m) whether the hearing should be held in public or in private (rule 15);
- (n) the voting procedures of the Panel in reaching a decision on the appeal (rule 16);
- (o) publication of decisions and proceedings (rule 17);
- (p) the requirements for serving notices under the Rules (rule 18); and
- (q) correction of errors (rule 19).

Rule 20 revokes the existing rules.