## SCHEDULES

SCHEDULE 1 U.K.

**Medical Practitioners** 



## Amendments to legislation

# Medical Act 1983 U.K.

1. The Medical Act 1983 is amended as follows.

#### **Commencement Information**

- I1 Sch. 1 para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- 2. In section 2 (registration of medical practitioners) M1, in subsection (2)—
  - (a) at the end of paragraph (aa), insert " and ";
  - (b) omit paragraph (d) and the "and" before it.

## **Commencement Information**

Sch. 1 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

- M1 Relevant amending instruments are S.I. 2006/1914, 2007/3101, 2008/1774.
- **3.** In section 3 (registration by virtue of primary United Kingdom or primary European qualifications)  $^{M2}$ , in subsection (1)(b), after "qualifications" insert " and has made an application, before [FIP completion day], for registration under this paragraph or is provisionally registered under section 15A".

## **Textual Amendments**

**F1** Words in Sch. 1 para. 3 substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **8(2)** 

### **Commencement Information**

Sch. 1 para. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M2 Relevant amending instruments are S.I. 1996/1591, 2006/1914, 2007/3101.

- **4.**—(1) Section 5 (general functions of the General Medical Council in relation to medical education in the United Kingdom)  $^{M3}$  is amended as follows.
  - (2) Omit subsection (2A).
  - (3) In subsection (4), omit the definition of "the Directive".

#### **Commencement Information**

Sch. 1 para. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

- **M3** Subsection (2A) was inserted by S.I. 1996/1591. Relevant amending instruments are S.I. 2006/1914, 2007/3101, 2008/1774,
- **5.**—(1) Section 10B (professional traineeships carried out in other relevant European States, etc) <sup>M4</sup> is amended as follows.
  - (2) In the heading, omit "other".
  - (3) Before subsection (1), insert—
    - "(A1) This section applies for the purposes of determining whether a person who—
      - (a) is a national of a relevant European state,
      - (b) holds a primary United Kingdom qualification, and
    - (c) has applied, before [F2IP completion day], for registration under section 3(1)(a), has satisfactorily completed an acceptable programme for doctors who are provisionally registered.".
  - (4) In subsection (1)—
    - (a) for "an acceptable programme of provisionally registered doctors" substitute " such a programme";
    - (b) omit the words from "other" to "qualification,".
  - (5) Omit subsection (2).
  - (6) In subsection (3), for "(1)" substitute "(A1)".

## **Textual Amendments**

**F2** Words in Sch. 1 para. 5(3) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **8(2)** 

#### **Commencement Information**

Sch. 1 para. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M4 Section 10B was inserted by S.I. 20016/1030.

- **6.**—(1) Section 14 (alternative requirements as to experience in certain cases) <sup>M5</sup> is amended as follows.
  - (2) Omit subsection (3).
- (3) In subsection (4)(a), after "subsection (1)" insert " in connection with an application for registration under section 3(1)(a) made before [F3IP completion day]".

#### **Textual Amendments**

**F3** Words in Sch. 1 para. 6(3) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **8(2)** 

### **Commencement Information**

Sch. 1 para. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

- M5 Subsection (3) was added by S.I. 1996/1591 and subsection (4) was added by S.I. 2016/1030. Relevant amending instruments are S.I. 2006/1914, 2007/3101.
- 7. In section 14A (full registration of EEA nationals etc without certain acquired rights certificates) M6, in subsection (1), before paragraph (a) insert—
  - "(za) who has made an application for registration under this section before [F4IP completion day],".

## **Textual Amendments**

**F4** Words in Sch. 1 para. 7 substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **8(2)** 

## **Commencement Information**

Sch. 1 para. 7 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M6 Section 14A was inserted by S.I. 2007/3101.

- **8.** In section 15A (provisional registration for EEA nationals etc) <sup>M7</sup>, in subsection (2), for "his fitness to practise is not impaired" substitute—
  - "(a) the person has made an application, before [F5IP completion day], for registration under this section, and
  - (b) the person's fitness to practise is not impaired.".

#### **Textual Amendments**

F5 Words in Sch. 1 para. 8 substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), 8(2)

#### **Commencement Information**

I8 Sch. 1 para. 8 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

- M7 Section 15A was inserted by S.I. 2000/3041. Relevant amending instruments are S.I. 2006/1914, 2007/3101.
- **9.** In section 16 (registration of qualifications), in subsection (2), omit "a primary United Kingdom qualification or".

#### **Commencement Information**

- Sch. 1 para. 9 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **10.**—(1) Section 17 (primary qualifications obtained in other relevant European states) is amended as follows.
  - (2) In the heading, omit "other".
  - (3) In subsection (1), omit "other than the United Kingdom".

## **Commencement Information**

- I10 Sch. 1 para. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- 11. Omit section 18 (visiting medical practitioners from relevant European states).

## **Commencement Information**

- Sch. 1 para. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **12.**—(1) Section 19 (full registration of EEA nationals etc by virtue of overseas primary qualifications etc) <sup>M8</sup> is amended as follows.
  - (2) Before subsection (1), insert—
    - "(A1) Subsection (1) applies only in relation to an exempt person—
      - (a) who has made an application, before [F6IP completion day], for registration under this section, or
      - (b) who is provisionally registered under section 21.".
  - (3) For subsection (2), substitute—

- "(2) In this Act "exempt person" means—
  - (a) a person who, immediately before [F7IP completion day], was a national of a relevant European State,
  - (b) a person who, immediately before [FIP completion day], was a national of the United Kingdom and, at that time, was seeking access to, or pursuing, the medical profession by virtue of an enforceable EU right, or
  - (c) a person who, immediately before [F7IP completion day], was not a national of a relevant European State, but at that time was, by virtue of an enforceable EU right, entitled to be treated, for the purposes of access to and pursuit of the medical profession, no less favourably than a national of a relevant European State.".
- (4) In subsection (3)(a), omit ", other than the United Kingdom,".

#### **Textual Amendments**

- **F6** Words in Sch. 1 para. 12(2) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **8(2)**
- F7 Words in Sch. 1 para. 12(3) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), 8(2)

#### **Commencement Information**

Sch. 1 para. 12 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### **Marginal Citations**

M8 Section 19 was substituted by S.I. 2002/3135. Relevant amending instruments are S.I. 2007/3101, 2011/1043.

- **13.**—(1) Section 19A (full registration of EEA nationals etc by virtue of overseas qualifications accepted by a relevant European State other than the United Kingdom) <sup>M9</sup> is amended as follows.
  - (2) In the heading, omit "other than the United Kingdom".
  - (3) In subsection (1), before paragraph (a), insert—
    - "(za) who has made an application for registration under this section before [F8IP completion day],".

## **Textual Amendments**

F8 Words in Sch. 1 para. 13(3) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), 8(2)

## **Commencement Information**

Sch. 1 para. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### **Marginal Citations**

M9 Section 19A was inserted by S.I. 2007/3101. Relevant amending instrument is S.I. 2016/1030.

- **14.** In section 21 (provisional registration of EEA nationals etc with certain overseas qualifications) M10, for subsection (2), substitute—
  - "(2) Where a person—
    - (a) has made an application to the General Council, before [F9IP completion day], to be provisionally registered under this section, and
    - (b) satisfies the Registrar of the matters specified in paragraphs (a), (aa) and (c) of section 19(1),

the person shall, if the Council think fit so to direct, be provisionally registered under this section."

## **Textual Amendments**

F9 Words in Sch. 1 para. 14 substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), 8(2)

### **Commencement Information**

Sch. 1 para. 14 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M10 Relevant amending instruments are S.I. 2006/1914, 2007/3101.

- **15.**—(1) Section 21B (full registration of persons with an overseas qualification) <sup>MII</sup> is amended as follows.
  - (2) In subsection (1)—
    - (a) at the beginning, insert "Subject to subsection (1A),";
    - (b) at the end of paragraph (c), insert " and ";
    - (c) in paragraph (d), omit "unless he is an exempt person,";
    - (d) omit the "and" at the end of paragraph (d);
    - (e) omit paragraph (e).
  - (3) After subsection (1), insert—
    - "(1A) Subsection (1)(b) does not apply to a person who makes an application under this section on or after [ $^{F10}$ IP completion day] in reliance on the holding of a relevant European qualification within subsection (3)(a) or (b).
    - (1B) Subsection (1C) applies instead of subsection (1) in the case of an exempt person who—
      - (a) has made an application for registration as a fully registered medical practitioner under this section before [F10IP completion day], or
      - (b) is provisionally registered under section 21C and made the application for that provisional registration before [F10]IP completion day].
      - (1C) Where the exempt person satisfies the Registrar that—
        - (a) the person holds, or has passed all the qualifying examinations necessary for obtaining, an acceptable overseas qualification,
        - (b) where—

- (i) the acceptable overseas qualification was, or would have been, granted otherwise than in a relevant European State, and
- (ii) that qualification, or the person's having passed those examinations, has not previously been accepted by a relevant European State as qualifying the person to practise as a medical practitioner in that State,

that qualification is, or would have been, evidence of medical training which satisfies the requirements of article 24(1), (2) and (3)(a), (b) and (c) of the Directive (basic medical training),

- (c) the person possesses the knowledge, skills and experience necessary for practising as a fully registered medical practitioner in the United Kingdom, and
- (d) the person's fitness to practise is not impaired,

the person shall, if the General Council think fit so to direct, be registered under this section as a fully registered medical practitioner.".

- (4) For subsection (2), substitute—
  - "(2) In this Act, an "acceptable overseas qualification" means—
    - (a) in relation to a person who makes an application for registration on or after [F11]IP completion day], a relevant European qualification, or
    - (b) (whether or not in relation to such a person) any other qualification granted outside the United Kingdom, where that qualification is for the time being accepted by the General Council as qualifying a person to practise as a medical practitioner in the United Kingdom.".
- (5) After subsection (2), insert—
  - "(3) In this section, "relevant European qualification" means—
    - (a) a primary European qualification under section 17(1)(a) that has not been designated by the General Council for the purposes of this paragraph,
    - (b) a qualification that is not a primary European qualification under section 17(1) (a) but—
      - (i) was granted in a relevant European State, and
      - (ii) demonstrates, in the opinion of the General Council, a comparable level of knowledge, skill and experience to that demonstrated by the means of qualification laid down by section 3(1)(a) (including the programme for provisionally registered doctors), or
    - (c) a qualification that is not a primary European qualification under section 17(1)(a) and does not fall within paragraph (b) but—
      - (i) was granted in a relevant European State, and
      - (ii) demonstrates, in the opinion of the General Council, a comparable level of knowledge and skill to that demonstrated by a primary United Kingdom qualification.
  - (4) The General Council—
    - (a) may designate a qualification for the purposes of subsection (3)(a) only with the approval of the Privy Council;
    - (b) must maintain and publish a list of the qualifications that are so designated.".

#### **Textual Amendments**

- **F10** Words in Sch. 1 para. 15(3) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **8(2)**
- F11 Words in Sch. 1 para. 15(4) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), 8(2)

#### **Commencement Information**

Sch. 1 para. 15 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M11 Section 21B was inserted by S.I. 2006/1914. Relevant amending instrument is S.I. 2007/3101.

- **16.**—(1) Section 21C (provisional registration of persons with an overseas qualification) M12 is amended as follows.
  - (2) In subsection (1), after "section 21B(1)(b)" insert " or (1C)(c)".
  - (3) In subsection (2)(a), for "(d) and (e)" substitute " and (d)".
  - (4) After subsection (2), insert—
    - "(2A) Subsection (2)(b) does not apply to a person who makes an application under this section on or after [F12IP completion day] and who—
      - (a) has passed all of the qualifying examinations necessary for obtaining (but does not hold) a relevant European qualification within section 21B(3)(a) or (b), or
      - (b) holds, or has passed all of the qualifying examinations necessary for obtaining, a relevant European qualification within section 21B(3)(c).
    - (2B) Where an exempt person has made an application to the General Council, before [F12IP completion day], to be provisionally registered under this section and satisfies the Registrar—
      - (a) of the matters specified in paragraphs (a), (b) and (d) of section 21B(1C) above so far as they are matters of which the Registrar would in the person's case have to be satisfied in order for the person to be eligible to benefit from a direction under that subsection, and
      - (b) that the person possesses the knowledge and skill requisite for embarking upon an acceptable programme for provisionally registered doctors,

the person shall, if the Council think fit so to direct, be provisionally registered under this section.".

## **Textual Amendments**

**F12** Words in Sch. 1 para. 16(4) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **8(2)** 

Changes to legislation: There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019, PART 1. (See end of Document for details)

#### **Commencement Information**

Sch. 1 para. 16 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### **Marginal Citations**

M12 Section 21C was inserted by S.I. 2006/1914. Relevant amending instrument is S.I. 2007/3101.

- 17. In section 30 (the registers) M13, in subsection (1)—
  - (a) at the end of paragraph (aa) insert " and ";
  - (b) omit paragraph (d) and the "and" before it.

### **Commencement Information**

Sch. 1 para. 17 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### **Marginal Citations**

M13 Relevant amending instruments are S.I. 2002/3135, 2006/1914, 2007/3101, 2008/1774.

**18.** In section 32 (registration fees) <sup>M14</sup>, in subsection (5), omit "or in the list of visiting medical practitioners from relevant European States".

## **Commencement Information**

I18 Sch. 1 para. 18 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### **Marginal Citations**

M14 Relevant amending instruments are S.I. 2007/3101, 2008/1774.

19. In section 34D (the Specialist Register) M15, omit subsection (5).

#### **Commencement Information**

Sch. 1 para. 19 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M15 Section 34D was inserted by S.I. 2010/234.

- **20.**—(1) Section 34G (acquired rights of general practitioners) <sup>M16</sup> is amended as follows.
- (2) In subsection (1), for "Article 30(1) of the Directive" substitute "this section".
- (3) In subsection (2), for the words from "by virtue of" to the end, substitute " as a general practitioner in the United Kingdom, the Registrar shall issue a certificate for the purposes of enabling that certificate to be recognised in relevant European States.".

#### **Commencement Information**

Sch. 1 para. 20 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M16 Section 34G was inserted by S.I. 2010/234.

21. Omit section 34J (minimum requirements for general practice training) M17.

#### Commencement Information

Sch. 1 para. 21 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para.
 1(1)), see reg. 1(2)

## **Marginal Citations**

M17 Section 34J was inserted by S.I. 2010/234.

22. Omit section 34K (minimum requirements for specialist training) M18.

#### **Commencement Information**

Sch. 1 para. 22 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M18 Section 34K was inserted by S.I. 2010/234.

**23.** In section 34L (award and withdrawal of Certificate of Completion of Training) M19, omit subsection (3).

#### **Commencement Information**

Sch. 1 para. 23 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M19 Section 34L was inserted by S.I. 2010/234.

- **24.**—(1) Section 40 (appeals) M20 is amended as follows.
- (2) Omit subsection (1B).
- (3) In subsection (4A), omit "or (1B)".
- (4) In subsection (8)(b), omit the words from "or, in the case" to "amended".

## **Commencement Information**

Sch. 1 para. 24 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

Changes to legislation: There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019, PART 1. (See end of Document for details)

## **Marginal Citations**

**M20** Section 40 was substituted by S.I. 2002/3135. Subsection (1B) was inserted by S.I. 2016/1030 and subsection (4A) was inserted by S.I. 2006/1914. Relevant amending instruments are S.I. 2015/794, 2016/1030.

**25.** In section 44 (effect of disqualification in another relevant European State on registration in the United Kingdom), in the heading, omit "another".

#### **Commencement Information**

I25 Sch. 1 para. 25 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

- **26.**—(1) Section 44B (provision of information in respect of fitness to practise matters) M21 is amended as follows.
  - (2) In subsection (1), omit ", other than Schedule 2A,".
  - (3) In subsection (2)—
    - (a) in paragraph (a), omit ", other than Schedule 2A,";
    - (b) in paragraph (b), omit "otherwise than by virtue of Schedule 2A,".
  - (4) Omit subsection (3).

## **Commencement Information**

Sch. 1 para. 26 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### **Marginal Citations**

M21 Section 44B was inserted by S.I. 2006/1914. Relevant amending instrument is S.I. 2007/3101.

27. In section 44C (indemnity arrangements) M22, omit subsection (11).

### **Commencement Information**

Sch. 1 para. 27 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para.
 1(1)), see reg. 1(2)

## **Marginal Citations**

M22 Section 44C was substituted by S.I. 2014/1887. Relevant amending instrument is S.I. 2007/3101.

28. In section 46 (fees) M23, in subsection (2A), omit paragraph (b).

## **Commencement Information**

Sch. 1 para. 28 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M23 Subsection (2A) was inserted by S.I. 2006/1914. Relevant amending instruments are S.I. 2010/234, 2011/1043.

29. Omit section 49B (the Directive: designation of competent authority etc) M24.

#### **Commencement Information**

Sch. 1 para. 29 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para.
 1(1)), see reg. 1(2)

#### **Marginal Citations**

**M24** Section 49B was inserted by S.I. 2007/3101. Relevant amendments are made by Schedule 19 to the Data Protection Act 2018 (c.12). Relevant amending instruments are S.I. 2008/1774, 2010/234.

- **30.**—(1) Section 55 (interpretation) M25 is amended as follows.
- (2) In subsection (1)—
  - (a) for the definition of "the Directive" substitute—
    - ""the Directive" means Directive 2005/36/EC of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications (OJ No L255, 30.09.2005, p 22), and any reference in this Act to the Directive or to any provision of the Directive is a reference to the Directive, or to that provision of the Directive, as it had effect immediately before [F13]P completion day] (but see subsections (2) and (3) below);";
  - (b) at the appropriate place insert—
    - ""enforceable EU right" means a right recognised and available in domestic law, immediately before [F14IP completion day], by virtue of section 2(1) of the European Communities Act 1972;";
  - (c) in the definition of "fully registered person", omit ", or under Schedule 2A as a visiting medical practitioner from a relevant European State,";
  - (d) in the definition of "the General Systems Regulations", at the end insert—
    - "(a) in relation to anything done before [F15IP completion day], as they had effect at that time;
    - (b) otherwise, as (and only to the extent that) they have effect, on or after [F15IP completion day], in relation to an entitlement which arose before [F15IP completion day] or arises as a result of something done before [F15IP completion day];";
  - (e) omit the definition of "IMI";
  - (f) in the definition of "national", for "is not" substitute "was not, immediately before [F16IP completion day]".
- (3) After subsection (1) insert—
  - "(1ZA) For the purposes of this Act an application for registration is made when it is received by the Registrar.".

Changes to legislation: There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019, PART 1. (See end of Document for details)

#### **Textual Amendments**

- F13 Words in Sch. 1 para. 30(2)(a) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), 8(2)
- **F14** Words in Sch. 1 para. 30(2)(b) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **8(2)**
- F15 Words in Sch. 1 para. 30(2)(d) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), 8(2)
- F16 Words in Sch. 1 para. 30(2)(f) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), 8(2)

#### **Commencement Information**

I30 Sch. 1 para. 30 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### **Marginal Citations**

M25 The definition of "the Directive" was inserted by S.I. 2007/3101. Relevant amending instruments are S.I. 2007/3101, 2008/1774, 2016/1030.

**31.** In Schedule 1 (the General Medical Council etc) <sup>M26</sup>, in paragraph 10, omit "(otherwise than under Schedule 2A)".

#### **Commencement Information**

Sch. 1 para. 31 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para.** 1(1)), see reg. 1(2)

## **Marginal Citations**

M26 Relevant amending instrument is S.I. 2007/3101.

32. Omit Schedule 2A (visiting medical practitioners from relevant European States) M27.

## **Commencement Information**

I32 Sch. 1 para. 32 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para.
 1(1)), see reg. 1(2)

## **Marginal Citations**

M27 Schedule 2A was inserted by S.I. 2007/3101. Relevant amending instrument is S.I. 2016/1030.

**33.** In Schedule 3 (registration: supplementary provisions) M28, omit paragraph 7.

#### **Commencement Information**

I33 Sch. 1 para. 33 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## Marginal Citations

M28 Paragraph 7 was substituted by S.I. 2007/3101.

- **34.**—(1) Schedule 3A (registration and training) M29 is amended as follows.
- (2) In paragraph 1 (interpretation), in paragraph (b) of the definition of "person making the decision", omit "or under Schedule 2A to this Act,".
  - (3) In paragraph 2 (appealable registration decisions), in sub-paragraph (1), omit paragraph (q).

#### **Commencement Information**

I34 Sch. 1 para. 34 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para.
 1(1)), see reg. 1(2)

## **Marginal Citations**

**M29** Schedule 3A was inserted by S.I. 2002/3135. Paragraph 2(1)(q) was inserted by S.I. 2007/3101. Relevant amending instrument is S.I. 2007/3101.

**35.** Omit Schedule 4A (Directive 2005/36: Functions of the General Council under section 49B(3)) M30.

#### **Commencement Information**

I35 Sch. 1 para. 35 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

**M30** Schedule 4A was inserted by S.I. 2007/3101. Relevant amendments are made by Schedule 19 to the Data Protection Act 2018. Relevant amending instruments are S.I. 2010/234, 2016/1030.

## National Health Service Pension Scheme Regulations 2008 U.K.

- **36.**—(1) The National Health Service Pension Scheme Regulations 2008 M31 are amended as follows.
- (2) In regulation 2.A.1 (interpretation: general) in the definition of "CCT", omit the words from "including" to the end.
- (3) In regulation 3.A.1 (interpretation of Part 3: general) in the definition of "CCT", omit the words from "including" to the end.

### **Commencement Information**

I36 Sch. 1 para. 36 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### **Marginal Citations**

M31 S.I. 2008/653. Relevant amending instrument is S.I. 2010/234.

# Postgraduate Medical Education and Training Order of Council 2010 U.K.

**37.** The Postgraduate Medical Education and Training Order of Council 2010 M32 is amended as follows.

#### **Commencement Information**

I37 Sch. 1 para. 37 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

#### **Marginal Citations**

M32 S.I. 2010/473. Relevant amending instrument is S.I. 2016/1030.

- **38.**—(1) Article 3 (persons eligible to be registered in, and liable to removal from, the General Practitioner Register) is amended as follows.
  - (2) In paragraph (1), omit paragraphs (b) and (c).
  - (3) Omit paragraph (2).

#### **Commencement Information**

- I38 Sch. 1 para. 38 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **39.**—(1) Article 4 (general practitioners eligible for entry in General Practitioner Register) is amended as follows.
  - [F17(2) For paragraph (1), substitute—
- "(1) A person is an eligible general practitioner for the purposes of article 3(1)(a) if the person holds a qualification in general practice listed in Annex V, point 5.1.4 of the Directive that was issued in a relevant European state, on or after the reference date and is not evidence of training commenced by the holder before that date, other than a qualification that has been designated by the General Council for the purposes of this paragraph.
  - (1A) The General Council—
    - (a) may designate a qualification for the purposes of paragraph (1) only with the approval of the Privy Council;
    - (b) must maintain and publish a list of the qualifications that are so designated.
- (1B) In paragraph (1), "the reference date", in relation to a relevant European State, means the date specified in relation to that State in the column entitled "Reference date" in Annex V, point 5.1.4 of the Directive.".]
  - (3) In paragraph (4), omit "Subject to paragraph 5,".
  - (4) Omit paragraphs (5) to (7).

#### **Textual Amendments**

F17 Sch. 1 para. 39(2) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), 8(3)

#### **Commencement Information**

- I39 Sch. 1 para. 39 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **40.** Omit article 5 (general systems general practitioners eligible for entry in the General Practitioner Register).

#### **Commencement Information**

- I40 Sch. 1 para. 40 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **41.** In article 6 (persons with acquired rights), in paragraph (5), omit "other than the United Kingdom".

#### **Commencement Information**

- Sch. 1 para. 41 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **42.**—(1) Article 7 (persons eligible to be registered in, and liable to removal from, the Specialist Register) is amended as follows.
- (2) In paragraph (1), omit sub-paragraphs (b) and (c) (including the "or" before sub-paragraph (b)).
  - (3) Omit paragraph (2).

### **Commencement Information**

- Sch. 1 para. 42 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **43.**—(1) Article 8 (specialists eligible for entry in the Specialist Register) is amended as follows.
- (2) For paragraph (1) substitute—
  - "(1) A person is an eligible specialist for the purposes of article 7(1)(a) if the person holds a relevant European specialist qualification (within the meaning of article 10)."
- (3) In paragraphs (2) and (3), for "Subject to paragraph (4), a" substitute "A".
- (4) Omit paragraphs (4) and (5).

## **Commencement Information**

- Sch. 1 para. 43 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **44.** Omit article 9 (general systems specialists eligible for entry in the Specialist Register).

#### **Commencement Information**

- Sch. 1 para. 44 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **45.**—(1) Article 10 (recognised specialist qualifications granted outside the United Kingdom) <sup>M33</sup> amended as follows.
  - (2) For the heading, substitute "Relevant European specialist qualifications".
  - (3) For paragraph (1), substitute—
    - "(1) In Article 8(1) "relevant European specialist qualification" means a specialist qualification listed in Annex V, point 5.1.2 of the Directive which—
      - (a) was awarded—
        - (i) in a relevant European State,
        - (ii) on or after the reference date, not being evidence of training commenced by the holder before that date, and
        - (iii) in a recognised specialty, and
      - (b) has not been designated by the General Council for the purposes of this paragraph.
      - (1A) The General Council—
        - (a) may designate a qualification for the purposes of paragraph (1) only with the approval of the Privy Council;
        - (b) must maintain and publish a list of the qualifications that are so designated.".

#### **Commencement Information**

Sch. 1 para. 45 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

### **Marginal Citations**

M33 Relevant amending instruments are S.I. 2013/3036, 2016/1030.

46. In article 11 (recognised specialities within the United Kingdom), omit paragraph (2).

#### **Commencement Information**

- Sch. 1 para. 46 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para.
   1(1)), see reg. 1(2)
- **47.**—(1) Article 12 (partial exemption) <sup>M34</sup> is amended as follows.
- (2) In paragraph (1), for "The registrar may exempt a person" substitute "Where a person has made an application before [F18IP completion day] for inclusion in the General Practitioner Register kept under section 34C of the Act, or the Specialist Register kept under section 34D of the Act, the Registrar may exempt the person".
  - (3) In paragraph (2)(a), after "has" insert "before [F19IP completion day]".

#### **Textual Amendments**

- **F18** Words in Sch. 1 para. 47(2) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **8(2)**
- **F19** Words in Sch. 1 para. 47(3) substituted (31.12.2020 immediately before IP completion day) by The European Qualifications (Health and Social Care Professions) (EFTA States) (Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1394), regs. 1(2), **8(2)**

### **Commencement Information**

Sch. 1 para. 47 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para.
 1(1)), see reg. 1(2)

## **Marginal Citations**

**M34** Article 12 was inserted by S.I. 2016/1030.

**48.** For the Schedule (recognised specialities within the United Kingdom) substitute—

"SCHEDULE U.K.

Article 11

Recognised specialities within the United Kingdom

Recognised specialities within the United Kingdom
Anaesthetics
Acute internal medicine
Allergy
Audio vestibular medicine (formerly known as audiological medicine)
Aviation and space medicine
Cardiology (formerly known as cardio-vascular disease)
Cardio-thoracic surgery (also known as thoracic surgery)
Chemical pathology (also known as biological chemistry and as clinical biochemistry)
Child and adolescent psychiatry (also known as child psychiatry)
Community sexual health and reproduction
Clinical genetics

Document Generated: 2024-05-21

Changes to legislation: There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019, PART 1. (See end of Document for details)

Clinical neurophysiology
Clinical oncology (also known as radiotherapy)
Clinical pharmacology and therapeutics (also known as pharmacology)
Clinical radiology (also known as diagnostic radiology and formerly known as radiology)
Dermatology
Diagnostic neuropathology
Emergency medicine (also known as accident and emergency medicine)
Endocrinology and diabetes mellitus (also known as endocrinology)
Forensic histopathology
Forensic psychiatry
Gastro-enterology
General psychiatry (also known as psychiatry, as general adult psychiatry, and as mental illness)
General (internal) medicine (formerly known as general medicine)
General surgery
Genito-urinary medicine (also known as venerology)
Geriatric medicine (formerly known as geriatrics)
Haematology (also known as general haematology)
Histopathology
Immunology (also known as immunopathology)

Intensive care medicine
Infectious diseases (also known as communicable diseases)
Medical microbiology (also known as microbiology and bacteriology)
Medical oncology
Medical ophthalmology
Medical psychotherapy (formerly known as psychotherapy)
Medical virology
Neurology
Neurosurgery (also known as neurological surgery)
Nuclear medicine
Obstetrics and gynaecology
Occupational medicine
Old age psychiatry
Ophthalmology
Oral and maxillo-facial surgery (also known as dental, oral and maxillo-facial surgery (basic medical and dental training))
Otolaryngology (also known as otorhinolaryngology, and as ENT surgery)
Paediatric surgery
Paediatric cardiology

Document Generated: 2024-05-21

Changes to legislation: There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019, PART 1. (See end of Document for details)

Paediatric and perinatal pathology
Paediatrics
Palliative medicine
Pharmaceutical medicine
Plastic surgery
Psychiatry of learning disability
Public health medicine (also known as community medicine)
Rehabilitation medicine
Renal medicine (also known as renal disease, and formerly known as nephrology)
Respiratory medicine (also known as thoracic medicine)
Rheumatology
Trauma and orthopaedic surgery (also known as orthopaedics, and formerly as orthopaedic surgery)
Tropical medicine
Sport and exercise medicine
Urology
Vascular surgery.".
Commencement Information  148 Sch. 1 para. 48 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

# General Medical Council (Applications for General Practice and Specialist Registration) Regulations 2010 U.K.

**49.** The General Medical Council (Applications for General Practice and Specialist Registration) Regulations 2010 M35 are amended as follows.

#### **Commencement Information**

Sch. 1 para. 49 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para.
 1(1)), see reg. 1(2)

### **Marginal Citations**

- M35 As set out in the Schedule to the General Medical Council (Applications for General Practice and Specialist Registration) Regulations Order of Council 2010 (S.I. 2010/475). Relevant amending instrument is S.I. 2011/1248.
- **50.** In regulation 2 (interpretation), in paragraph (2)—
  - (a) in sub-paragraph (a), for "competent authority or authorities of the United Kingdom under Article 56 of the Directive" substitute "General Council";
  - (b) in sub-paragraph (b), omit "other than the United Kingdom".

#### **Commencement Information**

- I50 Sch. 1 para. 50 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **51.** In regulation 5 (evidence), in paragraph (1), omit sub-paragraph (i).

## **Commencement Information**

- IS1 Sch. 1 para. 51 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **52.**—(1) Regulation 6 (collection of information, evidence and advice) is amended as follows.
- (2) In paragraph (1), for "Subject to paragraph (3), the" substitute "The".
- (3) Omit paragraph (3).

#### **Commencement Information**

- Sch. 1 para. 52 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **53.** Omit regulation 7 (statements of eligibility).

#### **Commencement Information**

Sch. 1 para. 53 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

- **54.**—(1) Regulation 8 (determination of applications) is amended as follows.
- (2) In paragraph (1), in sub-paragraph (a), omit the words from "including" to "Act".
- (3) Omit paragraph (2).
- (4) In paragraph (3), omit the words from ", unless" to the end.

#### **Commencement Information**

Sch. 1 para. 54 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## General Medical Council (Form and Content of the Registers) Regulations No 2 2010 U.K.

**55.** The General Medical Council (Form and Content of the Registers) Regulations No 2 2010 M36 are amended as follows.

## **Commencement Information**

Sch. 1 para. 55 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M36 Made by the General Medical Council in exercise of powers conferred by section 31(1) and (2) of the Medical Act 1983.

**56.** In regulation 2 (interpretation), in the list of defined terms beginning "the Principal List", for ", "the visiting doctors list" and "the list of visiting medical practitioners from relevant European States"" substitute "and "the visiting doctors list"".

#### **Commencement Information**

Sch. 1 para. 56 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

57. In regulation 4 (form and keeping of registers), omit paragraph (d).

#### **Commencement Information**

Sch. 1 para. 57 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**58.** In regulation 5 (entries in the register), omit paragraph (f).

## **Commencement Information**

Sch. 1 para. 58 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

# General Medical Council (Licence to Practise and Revalidation) Regulations 2012 U.K.

**59.** The General Medical Council (Licence to Practise and Revalidation) Regulations 2012 M37 are amended as follows.

#### **Commencement Information**

I59 Sch. 1 para. 59 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M37 As set out in the Schedule to the General Medical Council (Licence to Practise and Revalidation) Regulations Order of Council 2012 (S.I. 2012/2685).

**60.** In regulation 3 (grant or refusal of a licence) <sup>M38</sup>, in paragraph (1)(a), omit "18 (visiting medical practitioners from relevant European States),".

#### **Commencement Information**

I60 Sch. 1 para. 60 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para.
 1(1)), see reg. 1(2)

#### **Marginal Citations**

**M38** Relevant amending instruments are S.I. 2014/1273, 2015/1375.

- 61. In regulation 4 (withdrawal of a licence), in paragraph (2)—
  - (a) in paragraph (c), for "another", substitute "a";
  - (b) omit sub-paragraph (f).

#### **Commencement Information**

- I61 Sch. 1 para. 61 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)
- **62.** In regulation 6 (revalidation), in paragraph (2)(a), omit "18 (visiting medical practitioners from relevant European States),".

## **Commencement Information**

I62 Sch. 1 para. 62 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

# The National Health Service Pension Scheme Regulations 2015 U.K.

**63.** In the National Health Service Pension Scheme Regulations 2015 <sup>M39</sup>, in Schedule 15 (definitions), in column 2 of the entry for "CCT", omit the words from "including" to the end.

Changes to legislation: There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019, PART 1. (See end of Document for details)

#### **Commencement Information**

I63 Sch. 1 para. 63 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M39 S.I. 2015/94, to which there are amendments not relevant to this instrument.

# The National Health Service (General Medical Services Contracts) Regulations 2015 U.K.

**64.** In the National Health Service (General Medical Services Contracts) Regulations 2015 <sup>M40</sup>, in regulation 3 (interpretation), in the definition of "CCT", omit the words from "including" to the end.

### **Commencement Information**

Sch. 1 para. 64 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para.
 1(1)), see reg. 1(2)

#### **Marginal Citations**

M40 S.I. 2015/1862, to which there are amendments not relevant to this instrument

# The National Health Service (Personal Medical Services Agreements) Regulations 2015 U.K.

**65.** In the National Health Service (Personal Medical Services Agreements) Regulations 2015 M41, in regulation 3 (interpretation), in the definition of "CCT", omit the words from "including" to the end.

## **Commencement Information**

Sch. 1 para. 65 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

## **Marginal Citations**

M41 S.I. 2015/1879, to which there are amendments not relevant to this instrument.

# **Changes to legislation:**

There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019, PART 1.