

## SCHEDULES

### SCHEDULE 1

#### Medical Practitioners

### PART 2

#### Savings and transitional provision

##### **General Practitioner Register and Specialist Register**

**66.**—(1) Where an application for inclusion in the General Practitioner Register kept under section 34C of the Medical Act 1983 or the Specialist Register kept under section 34D of that Act is received before exit day, provisions of that Act, the Postgraduate Medical Education and Training Order of Council 2010 and the General Medical Council (Applications for General Practice and Specialist Registration) Regulations 2010 continue to apply in relation to the application (including any appeal arising from it) without the amendments made to those enactments by Part 1 of this Schedule.

(2) Where a provision continues to apply by virtue of paragraph (1), it is to be read as if, in any reference to a relevant European State other than the United Kingdom, the words “other than the United Kingdom” were omitted.

##### **IMI alerts**

**67.**—(1) Where an alert has been sent by the General Medical Council before exit day under regulation 67 of the European Union (Recognition of Professional Qualifications) Regulations 2015 as they then had effect, the decision to send the alert continues to be appealable for the purposes of section 40 of the Medical Act 1983 (subject to the provisions of that Act) despite the repeal of section 40(1B).

(2) In disposing of such an appeal, the powers of the court (or the sheriff) are, instead of those set out in section 40(8) of the Medical Act 1983—

- (a) to dismiss the appeal, or
- (b) to allow the appeal and direct the Council to take such steps as the court (or the sheriff) thinks fit to draw the findings of the court to the attention of the European Commission.

##### **Visiting medical practitioners: saving of old law for up to one year**

**68.**—(1) Where, immediately before exit day—

- (a) a visiting practitioner was entitled under paragraph 4 (entitlement to provide occasional medical services: first year)<sup>(1)</sup> or 7 (entitlement to provide occasional medical services after first year: renewals) of Schedule 2A to the Medical Act 1983 to provide occasional medical services, or

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(1) Relevant amending instrument is [S.I. 2016/1030](#).

**Status:** This is the original version (as it was originally made).

(b) the Registrar was in receipt of the required documents (within the meaning of paragraph 5 (first provisions of services: required documents) of that Schedule) from a visiting practitioner seeking to acquire that entitlement,

any provision made by or under that Act continues to apply in relation to the visiting practitioner without the amendments that Part 1 of this Schedule makes to the provisions relating to visiting medical practitioners from relevant European States.

(2) But a visiting practitioner’s entitlement does not continue (or further continue) under paragraph 7 of Schedule 2A to the Medical Act 1983 on or after exit day (and, accordingly, the entitlement lapses at end of the period mentioned in paragraph 8(1) or (2) (duration of entitlement to provide occasional medical services) of that Schedule).

(3) The reference in sub-paragraph (1) to “the provisions relating to visiting medical practitioners from relevant European States” are to the provisions listed in the following table.

<i>Act or instrument</i>	<i>Provision relating to visiting medical practitioners</i>
Medical Act 1983	section 2(2)(d)
	section 18
	section 30(1)(d)
	section 32(5)
	section 44B(1) and (2)
	section 44C(11)
	in section 55(1), the definition of “fully registered person”
	Schedule 1, paragraph 10
	Schedule 2A
	Schedule 3A, paragraphs 1 and 2(1)(q)
Postgraduate Medical Education and Training Order of Council 2010	article 3(1)(c) and (2)
	article 7(1)(c) and (2)
General Medical Council (Form and Content of the Registers) Regulations No 2 2010	regulation 2
	regulation 4(d)
	regulation 5(f)
General Medical Council (Licence to Practise and Revalidation) Regulations 2012	regulation 3(1)
	regulation 4(2)(f)
	regulation 6(2)