
WELSH STATUTORY INSTRUMENTS

2004 No. 1020

**The National Health Service (Performers
Lists) (Wales) Regulations 2004**

PART 3

MEDICAL PERFORMERS LIST

Interpretation

21.—(1) For the purposes of this Part the prescribed description of performer is medical practitioner and the relevant body is the General Medical Council. (2) In this Part —

“the 2002 Order” means the Medical Act 1983 (Amendment) Order 2002(1);

“the 2003 Order” means the General and Specialist Medical Practice (Education, Training and Qualifications) order 2003(2);

“armed forces GP” means a medical practitioner, who is employed on a contract of service by the Ministry of Defence, whether or not as a member of the armed forces, and

(a) before the coming into force of article 10 of the 2003 Order holds either a certificate of prescribed experience under regulation 10 of, or a certificate of equivalent experience under regulation 12 of, the Vocational Training Regulations; or

(b) upon the coming into force of paragraph 22 of Schedule 8 to the 2003 order, is an eligible medical practitioner pursuant to that paragraph, other than by virtue of having an acquired right under paragraph 1(d) of Schedule 6 to that Order; and

after the coming into force of article 10 of the 2003 Order, is entered on the GP Register.

“contractor” means a general medical practitioner, who both provides and performs primary medical services in accordance with section 28C(3) arrangements or under a general medical services.

“the Board” means the Postgraduate Medical Education and Training Board;

“both registers” means the register of medical practitioners and, after the coming in to force of article 10 of the 2003 Order, that register and the GP Register.

“CCT” means Certificate of Completion of Training awarded under article 8 of the 2003 Order, including any such certificate awarded in pursuance of the competent authority functions of the board specified in article 20(3)(a) of that Order;

“Fitness to Practise Panel” means a panel constituted pursuant to paragraph 19E of Schedule 1 to the Medical Act(4);

(1) S.I. 2002/3135

(2) S.I. 2003/1250

(3) Section 28C was inserted by the National Health Service (Primary Care) Act 1997, section 21(1) and amended by the 1999 Act, section 65(1) and Schedule 4, the 2001 Act, section 40 and Schedule 5 and the 2003 Act, section 180 and Schedule 11, paragraph 414.

(4) Paragraph 19E is inserted by article 5(3) of the 2002 Order, with effect from such date as the Secretary of State may specify.

“GP Register” after the coming into force of article 10 of the 2003 Order, means the register kept by virtue of that article;

“GP Registrar” means a medical practitioner, who is being trained in general practice—

- (a) prior to the coming into force of article 5 of the 2003 Order, by a medical practitioner who —
 - (i) has been approved for that purpose by the Joint Committee on postgraduate Training for General practice under regulation 7 of the Vocational Training Regulations, and
 - (ii) performs primary medical services; or
- (b) after the coming into force of that article, approved by the Board under article 4(5)(d) of the 2003 Order for the purposes of providing training to a GP Registrar under article 5(1)(c)(i);

“general medical practitioner” means a GP Registrar or—

- (a) on the coming into force of article 10 of the 2003 Order, a medical practitioner whose name is included in the GP Register; and
- (b) until the coming into force of that article, a medical practitioner who is either—
 - (i) until the coming into force of paragraph 22 of Schedule 8 to the 2003 Order, suitable experience within the meaning of section 31(2), section 21 of the National Health Service (Scotland) Act 1978⁽⁵⁾ or Article 8(2) of the Health and Personal Social Services (Northern Ireland) Order 1978⁽⁶⁾; or
 - (ii) upon the coming into force of paragraph 22 of Schedule 8 to the 2003 Order, and eligible general practitioner pursuant to that paragraph or has an acquired right to practice as a general medical practitioner pursuant to regulation 5(1)(d) of the Vocational Training for General Medical Practice (European Requirements) Regulations 1994⁽⁷⁾;

“GP Trainer” means a general medical practitioner, other than a GP Registrar, who is—

- (a) prior to the coming into force of article 4(5)(d) of the 2003 Order, approved as a GP Trainer by the Joint Committee on Postgraduate Training for General Practice under regulation 7 of the Vocational Training Regulations, or
- (b) after the coming into force of that article, approved by the Board under article 4(5)(d) of the 2003 Order for the purposes of providing training to a GP Registrar under article 5(1)(c)(i);

“health case” has the meaning ascribed to it by section 35E of the Medical Act⁽⁸⁾;

“Health Committee” means the Health Committee of the General Medical Council referred to in section 1(3) of the Medical Act;

“Medical Act” means the Medical Act 1983⁽⁹⁾;

“Professional Conduct Committee” means the Professional Conduct Committee of the General Medical Council, referred to in section 1(3) of the Medical Act;

“professional registration number” means the number against the doctor’s name in the register of medical practitioners;

(5) 1978 c. 29

(6) S.I. 1978/1907 (N.I. 26) or would have been so considered notwithstanding the repeal of the relevant provision

(7) S.I. 1994/3130.

(8) Section 35 is inserted by article 8 of the 2002 Order, with effect from such date as the Secretary of State may specify.

(9) 1983 c. 54.

“relevant scheme” means the scheme in respect of which the general medical practitioner is applying to be included in a medical performers list;

“register of medical practitioners” has the meaning given to it by section 2(2) of the Medical Act;

“scheme” means an arrangement to provide primary medical services—

- (a) in accordance with section 28C; or
- (b) under a general medical services contract;

“the Vocational Training Regulations” means the National Health Service (Vocational Training for General Medical Practice) Regulations 1997⁽¹⁰⁾; and

“vocational training scheme” means

- (a) a pre-arranged programme of training which is designed for the purpose of enabling a doctor to gain the medical experience prescribed by regulation 6(1) of the Vocational Training Regulations; or
- (b) after the coming into force of article 4 of the 2003 order, post graduate medical education and training necessary for the award of a CCT in general practice under that article.

⁽¹⁰⁾ S.I. 1997/2817, as amended by S.I. 1998/669 and 2003/3148.