

Draft Order laid before Parliament and the Scottish Parliament under section 62(10) of the Health Act 1999 (c. 8), for approval by resolution of each House of Parliament and by resolution of the Scottish Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No. ****

HEALTH CARE AND ASSOCIATED PROFESSIONS

The General Medical Council Order 2026

Made - - - - 2026

Coming into force in accordance with article 2

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At the Court at Buckingham Palace, the [xx] day of [xxxx]

Present,

The King's most excellent Majesty in Council

In accordance with paragraph 9(1) and (3) of Schedule 3 to the Health Act 1999^(a), the Secretary of State and the Scottish Ministers published a draft of this Order and invited representations.

In accordance with paragraph 9(4) of that Schedule, a period of three months beginning with that publication expired before a draft of this Order, together with a report about the consultation, was laid before Parliament and the Scottish Parliament.

In accordance with section 62(10) of that Act^(b), a draft of this Order has been approved by a resolution of each House of Parliament and the Scottish Parliament.

His Majesty makes the following Order, by and with the advice of His Privy Council, in exercise of the powers conferred by section 60(1)(a), (c) and (e) and section 62(4)(a) and (b) and (4A) of, and Schedule 3 to, that Act^(c).

PART 1

General

Citation

1. This Order may be cited as the General Medical Council Order 2026.

Commencement

- 2.—(1) This Part comes into force on the day after the day on which this Order is made.
- (2) Parts 2 to 10 come into force—
 - (a) in so far as they confer a power—
 - (i) to make an order, rules or standing orders, or

-
- (a) 1999 c. 8. Paragraph 9 was amended by section 111 of, and paragraph 7 of Schedule 8 to, the Health and Social Care Act 2008 (c. 14) and section 211(6) of the Health and Social Care Act 2012 (c. 7).
- (b) Amended by section 111 of, and paragraph 2 of Schedule 8 to, the Health and Social Care Act 2008 (c. 14).
- (c) Subsections 60(1)(c) and (e) were inserted by section 26(9) of the National Health Service Reform and Health Care Professions Act 2002 (c. 17). Subsection 60(1)(c) was amended by paragraph 60(a) of Schedule 15 to the Health and Social Care Act 2012 (c. 7) and subsection 60(1)(e) was amended by paragraph 60(b) of Schedule 15 to the Health and Social Care Act 2012 (c. 7). Subsections 62(4) and (4A) were substituted by paragraph 11 of Schedule 10 to the Health and Social Care Act 2008 (c. 14). Schedule 3 was amended by: paragraph 8(b) of Schedule 4 to the Health Professions Order 2001 (S.I. 2002/254); section 26(10) of the National Health Service Reform and Health Care Professions Act 2002 (c. 17); paragraph 67 of Schedule 11, and Part 4 of Schedule 14, to the Health and Social Care (Community Health and Standards) Act 2003 (c. 43); section 33 of, and Schedule 9 to, the Health Act 2006 (c. 28); paragraphs 4 to 10 of Schedule 8, paragraph 12 of Schedule 10 and Part 2 of Schedule 15, to the Health and Social Care Act 2008; section 211 of, and paragraphs 61 and 72 of Schedule 15 to, the Health and Social Care Act 2012 (c. 7); and section 168(4) of the Health and Care Act 2022 (c. 31).

- (ii) to issue guidance,
on the day after the day on which this Order is made;
 - (b) for remaining purposes, subject to paragraph (3), on [to be confirmed].
- (3) In Part 6—
- (a) article 45(4) and paragraphs 1 and 2 of Schedule 3 come into force on the day after the day on which this Order is made;
 - (b) paragraphs 3 to 10 of Schedule 3 come into force on 13th June 2027.
- (4) The Privy Council may by order make transitional, transitory or saving provision in connection with the coming into force of any provision of this Order.

Extent

- 3.—(1) This Order extends to England and Wales, Scotland and Northern Ireland, except as provided by paragraph (2).
- (2) An amendment, repeal or revocation by, or mentioned in, article 82 or Schedule 5 has the same extent as the provision to which it relates.

PART 2

The regulator

Chapter 1

Establishment and constitution

The General Medical Council

4. There shall continue to be a body corporate known as the General Medical Council, which is to have the functions conferred on it by this Order.

Constitution of the regulator

5. The regulator is to be constituted in accordance with Schedule 1.

Chapter 2

Objective and principle

Regulator objective

- 6.—(1) In exercising its functions, the regulator must act to protect the public.
- (2) For the purposes of paragraph (1), protecting the public means maintaining or improving—
- (a) the health, safety and wellbeing of the public,
 - (b) public confidence in the regulated professions, and
 - (c) professional standards and conduct.

Regulatory principle

7. In exercising its functions, the regulator must have regard to the principle that those functions should be—
- (a) carried out in a manner which is transparent, accountable, proportionate and consistent, and

- (b) in respect of registration proceedings and fitness to practise proceedings, targeted only at cases in which action is needed.

PART 3

Incidental powers and duties

Chapter 1

Powers

Delegation of exercise of functions

- 8.—(1) The regulator may delegate the exercise of a functions if to do so would—
- (a) result in a more efficient exercise of the function, or
 - (b) otherwise be beneficial to the regulation of a regulated profession.
- (2) The regulator may not delegate a function of making rules.
- (3) The regulator may only delegate the exercise of a function to—
- (a) another regulator of a profession to which section 60(2) of the Health Act 1999^(a) (regulation of health professions and social care workers, etc.) applies, or
 - (b) such a person as appears to the regulator to be appropriate to exercise the function on its behalf.
- (4) Paragraph (3)(b) does not permit the regulator to delegate the exercise of a function—
- (a) in this Part, under article 10 (guidance) in relation to standards applicable to registration in respect of—
 - (i) professional performance, or
 - (ii) conduct and ethics,
 - (b) in Part 5 (education and training), under article 25 (standards of education and training),
 - (c) under Part 6 (registration), or
 - (d) under Part 7 (fitness to practise).
- (5) A regulator to which a function is delegated may exercise the function in such manner as it considers appropriate, including through a committee of that regulator.
- (6) Where, in accordance with paragraph (1), the regulator delegates the exercise of a function, the regulator may pay—
- (a) the other regulator to which the exercise of the function is delegated, or
 - (b) the person to whom the exercise of the function is delegated,
- such sums by way of remuneration and expenses as the regulator may determine.
- (7) The regulator may vary or revoke a delegation.
- (8) The delegation of the exercise of a function does not affect—
- (a) the regulator's responsibility for the exercise of the function;
 - (b) the regulator's ability to—
 - (i) exercise the function itself, or
 - (ii) delegate the exercise of the function elsewhere in accordance with this article (whether or not the original delegation has been revoked).

(a) 1999 c. 8.

Disclosure of information

9.—(1) The regulator may disclose information which relates to the exercise of its functions.

(2) The regulator may only disclose information which relates to the fitness to practise of—

- (a) a particular regulated professional,
- (b) regulated professionals in general, or
- (c) regulated professionals of a particular class,

if the regulator considers it to be in the public interest to do so.

(3) For the purposes of paragraph (2)(b) and (c), the regulator does not need to consider whether it is in the public interest to disclose the information in respect of each regulated professional to whom the information relates.

(4) For the purposes of this article—

- (a) reference to a regulated professional includes—
 - (i) a former regulated professional, and
 - (ii) an applicant, or former applicant, for registration as a regulated professional;
- (b) reference to disclosing information includes, in particular—
 - (i) publishing a decision of the regulator, or reasons for a decision;
 - (ii) publishing an outcome of an assessment or determination, or reasons for the outcome.

Guidance

10.—(1) The regulator may issue guidance in connection with the exercise of its functions.

(2) Guidance under paragraph (1) may, in particular, include information about how a person may comply with requirements imposed by rules.

(3) The guidance must be published by the regulator.

(4) The regulator may vary or revoke the guidance.

(5) Paragraphs (3) and (4) apply in relation to guidance which is varied.

Matters incidental or conducive to the exercise of regulator functions

11.—(1) The regulator may do anything which is incidental or conducive to the exercise of its functions.

(2) Where, in accordance with paragraph (1), the regulator employs a person in connection with the exercise of a function, the regulator may pay the person such sums by way of remuneration and expenses as the regulator may determine.

Chapter 2

Duties

Regional differences

12. The regulator must, in exercising its functions, have regard to any differences relating to practice as a regulated professional which may occur in England, Wales, Scotland and Northern Ireland.

Public engagement

- 13.**—(1) The regulator must put in place arrangements for the purposes of—
- (a) engaging the public in, and
 - (b) keeping the public informed about,
- the exercise of its functions.
- (2) The arrangements must be published by the regulator.
- (3) The regulator must—
- (a) keep the arrangements under review, and
 - (b) where the regulator considers appropriate, vary the arrangements.
- (4) Paragraphs (2) and (3) apply to arrangements which are varied.
- (5) The first set of arrangements must be published before the end of a period of six months beginning with the day on which this article comes into force.

Cooperation

- 14.**—(1) The regulator must, for the purposes set out in paragraph (2), take such steps as it considers appropriate to cooperate with—
- (a) the Disclosure and Barring Service established under Chapter 3 of Part 5 of the Protection of Freedoms Act 2012^(a) (safeguarding vulnerable groups, criminal records, etc.);
 - (b) the Scottish Ministers, in the performance of their functions under the Protection of Vulnerable Groups (Scotland) Act 2007^(b) and the Disclosure (Scotland) Act 2020^(c);
 - (c) the Department of Justice in Northern Ireland, in the performance of its functions under Part 5 of the Police Act 1997^(d) (certificates of criminal records, etc.);
 - (d) a law enforcement agency;
 - (e) a local authority;
 - (f) a person responsible for the exercise of a function in respect of—
 - (i) the regulation of, or the coordination of the regulation of, healthcare professionals;
 - (ii) the employment (whether or not under a contract of service) of healthcare professionals;
 - (iii) the education or training of healthcare professionals;
 - (iv) health and social care services, including in particular—
 - (aa) the regulation of, or the improvement of, health and social care services, and
 - (bb) the provision, supervision or management of such services;
 - (v) the oversight of the delivery of health and social care services.
- (2) The purposes are those of securing or improving—
- (a) the regulation of a profession to which section 60(2) of the Health Act 1999^(e) (regulation of health professions and social care workers, etc.) applies, or
 - (b) the services which such a profession provides or to which it contributes.

(a) 2012 c. 9.
(b) 2007 asp. 14.
(c) 2020 asp. 13.
(d) 1997 c. 50.
(e) 1999 c. 8.

(3) In this article—

“healthcare professional” means a person regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002^(a) (the Professional Standards Authority for Health and Social Care);

“law enforcement agency” means—

- (a) the National Crime Agency;
- (b) the Commissioners for Her Majesty's Revenue and Customs;
- (c) a police force in England, Wales, Scotland or Northern Ireland;
- (d) any other public body operating in England, Wales, Scotland or Northern Ireland responsible for preventing, detecting, investigating or prosecuting a criminal offence.

Equality, diversity and inclusion

15.—(1) The regulator must put in place arrangements to ensure that, in the exercise of its functions, it applies good practice in relation to equality and diversity (within the meaning of section 8(2) of the Equality Act 2006^(b)).

(2) Where, in accordance with those arrangements, the regulator considers that an improvement may be required in the application of good practice in relation to equality and diversity, the regulator must take such steps as the regulator considers appropriate to make that improvement.

(3) In putting arrangements in place, the regulator must have regard to principles relating to equality, diversity and inclusion formulated (and amended from time to time) by the Professional Standards Authority for Health and Social Care under section 25 of the National Health Service Reform and Health Care Professions Act 2002^(c).

(4) The arrangements must be published by the regulator.

(5) The regulator must—

- (a) keep the arrangements under review, and
- (b) where the regulator considers appropriate, vary the arrangements.

(6) Paragraphs (4) and (5) apply in relation to arrangements which are varied.

Annual report and statistical analysis

16.—(1) The regulator must, before the relevant date in each year, publish—

- (a) a report on the exercise of its functions during the relevant period, and
- (b) a statistical analysis of arrangements that the regulator has put in place during that period in connection with protecting the public from regulated professionals whose fitness to practise is impaired.

(2) The report must include details of—

- (a) the arrangements that the regulator has put in place, in accordance with article 15, to ensure it applies good practice in relation to equality and diversity, and
- (b) any rules made under this Order during the period covered by the report.

(a) 2002 c. 17.

(b) 2003 c. 3.

(c) 2002 c. 17. Section 25 was amended by: paragraph 17 of Schedule 10 and paragraph 1 of Schedule 15 to the Health and Social Care Act 2008 (c. 14); sections 220, 222 and 224 of, and paragraphs 56 and 62 of Schedule 15 to, the Health and Social Care Act 2012 (c. 7); section 5 of the Health and Social Care (Safety and Quality) Act 2015 (c. 28); paragraph 2 of Schedule 4 to the Children and Social Work Act 2017 (c. 16); and by S.I. 2010/231.

(3) For any rules to which paragraph (2) applies and which provide for the setting and charging of fees, the report must also include the regulator's assessment of the impact of the fees on—

- (a) the regulator,
- (b) regulated professionals, and
- (c) such other persons as the regulator may determine.

(4) The statistical analysis must include—

- (a) details of the nature and volume of cases referred to the regulator relating to fitness to practise,
- (b) any points of learning that the regulator has identified from the cases and its proposals for addressing them, and
- (c) the regulator's assessment of the effectiveness of its arrangements for dealing with fitness to practise matters.

(5) The regulator must submit a copy of the report and statistical analysis to the Privy Council as soon as reasonably practicable following publication.

(6) The Privy Council must lay a copy of the report and statistical analysis before—

- (a) Parliament,
- (b) Senedd Cymru,
- (c) the Scottish Parliament, and
- (d) the Northern Ireland Assembly.

(7) For the purposes of paragraph (1)—

- (a) the relevant date is the date specified by the Privy Council for the purposes of this article;
- (b) the relevant period is the period of twelve months beginning with—
 - (i) for the first report and statistical analysis, the day on which this article comes into force;
 - (ii) for each subsequent report and statistical analysis, the day after the day on which the relevant period for the previous report and statistical analysis expires.

Reports specific to each part of the United Kingdom

17.—(1) The regulator must, before the relevant date in each year, publish a report on the exercise of its functions in relation to any circumstances of particular relevance to each of England, Wales, Scotland and Northern Ireland .

(2) The regulator must submit a copy of the report to the Privy Council as soon as reasonably practicable following publication.

(3) The Privy Council must lay a copy of the report before—

- (a) Parliament,
- (b) Senedd Cymru,
- (c) the Scottish Parliament, and
- (d) the Northern Ireland Assembly.

(4) For the purposes of paragraph (1)—

- (a) the relevant date is the date specified by the Privy Council for the purposes of this article;
- (b) the relevant period is the period of twelve months beginning with—

- (i) for the first report, the day on which this article comes into force;
- (ii) for each subsequent report, the day after the day on which the relevant period for the previous report expires.

Strategic plan

18.—(1) The regulator must, before the relevant date, publish a strategic plan setting out how the regulator intends to exercise its functions during the relevant period.

(2) The regulator must submit a copy of the plan to the Privy Council as soon as reasonably practicable following publication.

(3) The Privy Council must lay a copy of the plan before—

- (a) Parliament,
- (b) Senedd Cymru,
- (c) the Scottish Parliament, and
- (d) the Northern Ireland Assembly.

(4) For the purposes of paragraph (1)—

- (a) the relevant date is—
 - (i) for the first plan, the day which falls at the end of the period of six months beginning with the day on which this article comes into force;
 - (ii) for each subsequent plan, the day after the day on which the relevant period for the previous plan expires;
- (b) the relevant period is such period of no greater than five years as the regulator may determine.

PART 4

Further provision relating to the regulator

Chapter 1

Financial provision

Fees

19.—(1) Rules must make provision about the setting and charging of fees in connection with the exercise of its functions.

(2) The rules—

- (a) may not provide for fees to be set other than with a view to ensuring that, so far as is reasonably practicable and taking one year with another, the regulator's fee income does not exceed its expenses, including amounts reasonably required to be set aside as reserves, and
- (b) may not provide for a fee to be charged in connection with specific proceedings to determine a regulated professional's fitness to practise.

(3) The rules may provide that a request or application in respect of which a fee is payable is not valid unless the fee is paid.

(4) Rules may also make provision for—

- (a) the collection and recovery of fees by the regulator, and
- (b) the recovery of such fees by a prescribed person.

(5) A fee may be recovered—

- (a) in England and Wales, and in Northern Ireland, summarily as a civil debt;
- (b) in Scotland, as a debt.

(6) For the purposes of paragraph (1), reference to the exercise of a function includes where the function is exercised—

- (a) other than in the United Kingdom, or
- (b) in respect of a person situated outside the United Kingdom.

Borrowing

20. The regulator may borrow money for the purposes of—

- (a) exercising its functions;
- (b) the management of its financial affairs.

Grants and loans

21.—(1) The appropriate authority may grant or loan the regulator such sums as the authority considers appropriate in connection with the exercise by the regulator of its functions.

(2) The grant or loan may be subject to such conditions as the appropriate authority considers appropriate.

(3) In this article, the appropriate authority is—

- (a) in relation to functions exercised in connection with medical practitioners, the Secretary of State;
- (b) in relation to functions exercised in connection with physician assistants or physician assistants in anaesthesia, whose registered address is—
 - (i) in England, the Secretary of State;
 - (ii) in Wales, the Welsh Ministers;
 - (iii) in Scotland, the Scottish Ministers;
 - (iv) in Northern Ireland, the Department of Health in Northern Ireland.

Regulator expenses

22. The expenses of the regulator are to be met out of funds obtained from—

- (a) fees charged in accordance with rules under article 19;
- (b) money borrowed under article 20;
- (c) grants and loans made under article 21;
- (d) such other sums as may be paid to the regulator—
 - (i) under this Order in connection with the exercise of its functions, or
 - (ii) from other sources of income.

Annual accounts

23.—(1) The regulator must prepare annual accounts in respect of each financial year.

(2) The accounts are to be audited by a person appointed by the regulator.

(3) A person may only be appointed as an auditor under paragraph (2) if the person is eligible for appointment as a statutory auditor under Part 42 of the Companies Act 2006^(a).

(4) The regulator must, as soon as reasonably practicable following completion of the audit—

(a) publish a copy of—

(i) the accounts, and

(ii) the auditor's report (if any) on the accounts, and

(b) send a copy of the accounts and the report (if any) to the Privy Council.

(5) The Privy Council must lay a copy of the accounts and the report (if any) before—

(a) Parliament,

(b) Senedd Cymru,

(c) the Scottish Parliament, and

(d) the Northern Ireland Assembly.

Chapter 2

Privy Council

Default powers of the Privy Council

24.—(1) Where the Privy Council considers that the regulator has not exercised a function which it should have exercised, the Privy Council may—

(a) notify the regulator of its opinion, and

(b) require the regulator to make representations.

(2) The Privy Council may, having considered the representations, give such directions to the regulator regarding the exercise of the function as the Privy Council considers appropriate.

(3) If the regulator fails to comply with the directions, the Privy Council may give effect to the directions itself by—

(a) exercising the function which the Privy Council considers the regulator should have exercised, and

(b) exercising any other function of the regulator that the Privy Council considers necessary to give effect to the directions,

as if, for the purposes of the exercise of the function, it were the regulator.

(4) The powers under this article may be exercised by a person authorised or designated by the Privy Council for the purpose.

(5) The power under paragraph (3) may not be exercised so as to—

(a) make, amend or remove an entry in the register, or

(b) refuse to do so.

(a) 2006 c. 46.

PART 5

Education and training

Chapter 1

Education and training - regulated professionals

Standards of education and training

25.—(1) The regulator must determine standards of education and training in connection with practising as a regulated professional.

(2) Before determining standards the regulator must consult such persons as the regulator considers appropriate.

(3) The standards must be published by the regulator.

(4) The regulator must—

(a) keep the standards under review, and

(b) where the regulator considers appropriate, vary the standards.

(5) Paragraphs (2) to (4) apply in relation to standards which are varied.

Approval of education and training

26.—(1) The regulator may, by reference to the standards of education and training determined under article 25, approve—

(a) education or training;

(b) an examination or assessment;

(c) a qualification.

(2) The regulator may, by reference to those standards, approve a person who provides education or training.

(3) The regulator may, in connection with education and training delivered outside the United Kingdom—

(a) grant an approval under paragraph (1) or (2), or

(b) determine that—

(i) education or training,

(ii) an examination or assessment, or

(iii) a qualification,

is otherwise of a standard appropriate to practising as a regulated professional in the United Kingdom.

(4) An approval or determination may be—

(a) subject to such conditions as the regulator considers appropriate;

(b) for such a period as the regulator considers appropriate.

(5) The regulator may vary or revoke an approval or determination.

(6) The regulator may not subject an approval or determination to a condition, or vary or revoke an approval or determination, unless—

(a) the regulator has notified the person concerned of the manner in which, and time within which, representations may be made to the regulator,

- (b) the regulator has considered any representations, and
 - (c) the time within which representations may be made has expired.
- (7) The regulator must—
- (a) notify the provider of the education, training, examination, assessment, or qualification of—
 - (i) an approval, or
 - (ii) a variation or revocation of an approval, and
 - (b) publish the approval, or variation or revocation of an approval.

Information and evidence

27.—(1) The regulator may, for the purposes of the exercise of a function under this Part, require a person to—

- (a) supply specified information, or
- (b) produce a specified document,

which the regulator considers the person is reasonably able to supply or produce.

(2) The regulator may, for the purposes of—

- (a) granting an approval or making a determination under article 26, or
- (b) varying or revoking an approval or determination under that article,

carry out an assessment against, or otherwise monitor compliance with, such of the standards of education and training as the regulator considers appropriate.

(3) Assessment or monitoring may, in particular, be carried out by attending premises used by a provider of education and training for the purposes of education and training.

(4) In this article—

“provider of education and training” means a provider of education and training which is approved or determined appropriate under article 26, and includes a prospective provider of such education and training;

“specified” means specified by the regulator.

Certification of completion of a course of education or training

28. The regulator may certify that, in its opinion, a person has successfully completed a course of postgraduate education or postgraduate training approved under article 26.

Chapter 2

Criminal offence

Offence relating to education and training

29.—(1) A person commits an offence if the person, with intent to deceive, falsely represents a person (including himself or herself) as having a qualification approved in accordance with article 26(1)(c).

(2) Paragraph (1) only applies to a representation made during the period—

- (a) beginning with the day on which the qualification is approved, and
- (b) ending with the day on which the approval is revoked.

(3) A person who commits an offence under this article is liable—

- (a) on summary conviction in England and Wales, to a fine;
- (b) on summary conviction in Scotland or Northern Ireland, to a fine not exceeding level 5 on the standard scale.

Chapter 3

Rules

Power to make procedural rules

30.—(1) Rules may make such procedural provision in connection with the exercise by the regulator of a function under articles 26 to 28 as the regulator considers appropriate.

(2) Rules under paragraph (1) may, in particular, prescribe—

- (a) the manner in which, and time within which, a step must be taken;
- (b) a procedure for making representations;
- (c) a procedure for an assessment or determination.

Chapter 4

Education and training - health professionals

Coordination of education and training, etc, of health professionals

31.—(1) The regulator may take such steps as the regulator considers appropriate to—

- (a) promote high standards of education and training;
- (b) coordinate stages of education and training.

(2) Coordination may, in particular, include—

- (a) the development of a policy for general application to education and training;
- (b) facilitating implementation of the policy.

(3) For the purposes of this article, a reference to education and training is to the education and training of a profession to which section 60(2) of the Health Act 1999^(a) (regulation of health professions and social care workers, etc.) applies.

PART 6

Registration

Chapter 1

The register

The register

32.—(1) The regulator must establish a register of regulated professionals.

(2) The register is to consist of only three parts, one part for each regulated profession.

(3) The register must be maintained by the registrar in accordance with the provisions of this Part.

(4) A person entitled to be registered in accordance with this Part must—

(a) 1999 c. 8.

- (a) be entered in that part of the register which relates to the person's regulated profession, and
 - (b) have only one entry in any one part of the register.
- (5) The registrar must take steps to ensure that the information entered in the register remains accurate.
- (6) The regulator may prescribe the form in which the register is to be kept.
- (7) The regulator must publish an entry in the register, and any amendment to an entry in the register—
- (a) in such a manner as to—
 - (i) make clear the profession to which the regulated professional belongs, and
 - (ii) include the information recorded in accordance with article 33(1)(a) and (b), (2) and (3);
 - (b) otherwise, in such manner as the regulator considers appropriate.

Information to be recorded

- 33.—**(1) An entry in the register must record—
- (a) the regulated professional's name and registration number,
 - (b) the date on which the regulated professional was registered or, if more than once, the most recent date on which registered,
 - (c) the regulated professional's home address and such other contact details for the regulated professional as may be prescribed, and
 - (d) such other information in connection with the regulated professional's identity as the regulator considers necessary for the protection of the public.
- (2) The entry must also record—
- (a) a warning issued to the regulated professional under Part 7 (fitness to practise), or following a revision or appeal of a decision under that Part,
 - (b) a registration measure imposed on the regulated professional,
 - (c) an interim registration measure imposed in respect of the regulated professional under Chapter 1 of Part 8 (further provision relating to registration and fitness to practise), or following an appeal of a decision under that Chapter, and
 - (d) such other information in connection with practice as a regulated professional as the regulator considers necessary for the protection of the public.
- (3) The entry must also record—
- (a) any restrictions to which the registration of the regulated professional is subject, and
 - (b) any enhancements from which the registration of the regulated professional benefits.
- (4) The entry may record such other information in respect of the regulated professional as the regulator considers appropriate in connection with the exercise of its functions.
- (5) For the purposes of paragraph (2), the requirement to record a warning or measure includes where—
- (a) the circumstances which gave rise to the warning being issued are no longer obtaining,
 - (b) the period for which a condition on registration or suspension of registration is imposed has expired, and
 - (c) the period for which an interim registration measure is imposed has expired.

Chapter 2

Entry on and removal from the register

Standards applicable to registration

34.—(1) The regulator must determine standards applicable to registration as a regulated professional for each of the regulated professions.

(2) Standards under paragraph (1) must make provision in respect of—

- (a) knowledge and skill,
- (b) experience,
- (c) professional performance,
- (d) conduct and ethics,
- (e) proficiency in the English language, and
- (f) such other matters as the regulator considers appropriate.

(3) Before determining the standards the regulator must consult such persons as the regulator considers appropriate.

(4) The standards must be published by the regulator.

(5) The regulator must—

- (a) keep the standards under review, and
- (b) where the regulator considers appropriate, vary the standards.

(6) Paragraphs (2) to (5) apply in relation to standards which are varied.

Applications for registration

35.—(1) An application for registration must comply with—

- (a) such procedural requirements as may be prescribed, and
- (b) such additional requirements as the registrar may direct.

(2) The application must be accompanied by—

- (a) proof of the applicant's identity, and
- (b) evidence that the applicant has in force, or will have in force before practising as a regulated professional—
 - (i) an indemnity arrangement,
 - (ii) an insurance policy, or
 - (iii) a combination of both,

which provides appropriate cover in respect of the applicant's proposed practice as a regulated professional.

(3) Rules may make provision—

- (a) preventing an application from being made within a prescribed period following the refusal of an application for registration or removal of an entry from the register;
- (b) limiting the number of applications which may be made following the refusal of an application for registration or removal of an entry from the register.

(4) An application for registration may not be made by a person whose entry in the register has been removed in accordance with article 38(2)(a) (removal of an entry from the register - mandatory) unless the conviction from which the removal arose—

- (a) has been quashed, or
- (b) is one to which article 48(1)(b) applies (offences listed in Part 2 of Schedule 4) and the custodial sentence has been quashed and a non-custodial sentence imposed.

Registration

36.—(1) The registrar must register a person who applies for registration in accordance with the provisions of, or made under, article 35 if the person meets—

- (a) the standards of education and training, and
- (b) the standards applicable to registration.

(2) The registrar may register a person who applies for registration in accordance with the provisions of, or made under, article 35 if the person meets—

- (a) the standards of education and training, and
- (b) the standards applicable to registration, except in respect of experience (but see article 37(5)).

(3) The regulator must send notification of a decision under paragraph (1) to the person applying for registration.

(4) The notification must include information regarding rights of appeal.

(5) This article does not apply where a regulated professional's entry in the register has previously been removed (in which case article 41 applies).

Registration restrictions and enhancements

37.—(1) The registration of a regulated professional may be subject to such restrictions or benefit from such enhancements as the registrar, in accordance with rules, considers appropriate.

(2) The registrar may—

- (a) add a restriction or enhancement to a regulated professional's registration, or
- (b) vary or revoke a restriction or enhancement.

(3) The regulator must notify the regulated professional of a decision under paragraph (2).

(4) The categories of restrictions to which the registration of a regulated professional may be subject may be prescribed in rules.

(5) Rules under paragraph (4) must make provision—

- (a) for the registration of a medical practitioner registered in accordance with article 36(2) to be restricted to the purpose of gaining sufficient experience to be registered without such a restriction, and
- (b) where registration is restricted to such a purpose, requiring the medical practitioner to undertake training under a foundation programme.

(6) The categories of enhancements from which the registration of regulated professional may benefit are—

- (a) in respect of registration as a medical practitioner—
 - (i) the categories of speciality in practice as the Privy Council must by order specify, and
 - (ii) such other categories as may be prescribed in rules;
- (b) otherwise, such categories as may be prescribed in rules.

(7) Rules under this article may, in particular, make provision—

- (a) by reference to—

- (i) a function or activity;
 - (ii) a specialism or qualification;
 - (iii) the duration applicable to registration;
- (b) for a restriction in relation to all areas of medical practice, for which cases rules may provide for the disapplication of article 42 (periodic assessment).
- (8) In this article, reference to a foundation programme is to a programme of training—
 - (a) approved under article 26,
 - (b) the purpose of which is to provide a medical practitioner registered subject to the restriction mentioned in paragraph (5)(a) with sufficient experience to be registered without such a restriction, and
 - (c) which complies with such requirements as may be prescribed in relation to—
 - (i) entry requirements for the programme,
 - (ii) the duration of the programme,
 - (iii) the content of the programme,
 - (iv) activities in which the medical practitioner may, or may not, participate,
 - (v) by whom the medical practitioner may be employed, or by whom the medical practitioner's services may be engaged, whilst undertaking the programme, and
 - (vi) such other matters as the regulator considers appropriate.

Removal of an entry from the register - mandatory

38.—(1) The registrar must remove the entry relating to a regulated professional from the register in the following circumstances.

- (2) The regulated professional's fitness to practise is impaired in accordance with—
 - (a) article 48 (impairment of fitness to practise due to criminal conviction), or
 - (b) article 49 (impairment of fitness to practise due to standard of care, misconduct or health) where a registration measure under article 53(1)(c) (removal of registration) is imposed.
- (3) The regulated professional has died.

Removal of an entry from the register - discretionary

39.—(1) The registrar may remove the entry relating to a regulated professional from the register in the following circumstances.

- (2) The entry has been—
 - (a) procured fraudulently, or
 - (b) made incorrectly.
- (3) The regulated professional has requested that the entry be removed from the register.
- (4) The regulated professional has not paid a fee prescribed under article 19 (fees).
- (5) The regulated professional does not have in place—
 - (a) an indemnity arrangement,
 - (b) an insurance policy, or
 - (c) a combination of both,

which provides appropriate and adequate cover in respect of their practice as a regulated professional.

(6) The regulated professional has not kept up to date the registered address or other contact details prescribed under article 33 (information to be recorded in the register)(a).

(7) The entry is subject to a restriction on registration under article 37 (registration restrictions and enhancements) by reference to a period of time and that period has expired.

(8) The regulated professional has not complied with a restriction to which the regulated professional's registration is subject under that article.

(9) The regulated professional has practised within an enhancement from which the regulated professional's registration does not benefit under that article.

(10) The regulated professional has not complied with procedural rules relating to a periodic assessment under article 42 (periodic assessment).

(11) The outcome of a periodic assessment under that article is that the regulated professional does not meet—

- (a) the appropriate standards of education and training,
- (b) the appropriate standards applicable to registration, or
- (c) the additional assessment criteria applicable to a periodic assessment (if any) prescribed under paragraph (2)(a) of that article.

(12) The regulated professional has not supplied information or produced a document in accordance with article 61 (powers relating to the gathering of evidence).

Removal of an entry from the register - supplementary

40.—(1) The removal of an entry from the register in accordance with articles 38 and 39 has effect from such date as may be determined in accordance with rules.

(2) The regulator must send notification of the removal of an entry to—

- (a) the regulated professional, and
- (b) where known—
 - (i) the regulated professional's employer,
 - (ii) any other person with whom the regulated professional has entered into an arrangement to provide services as a regulated professional, and
 - (iii) any other regulator with which the regulated professional is registered.

(3) The notification to the regulated professional must include information regarding rights of appeal.

(4) The removal of an entry from the register in accordance with article 38(2)(a) must be published by the regulator.

(5) For the purposes of article 39(6), the registered address or other contact details may be deemed not to be up to date where the regulated professional consistently or regularly fails to respond to communication from the regulator sent to that address or in accordance with those details.

Re-entry on the register

41.—(1) The registrar must register a person—

- (a) whose entry in the register has been removed due to the imposition of a registration measure,

(a) Also see article 40(5).

- (b) whose fitness to practise has subsequently been determined by a fitness to practise panel no longer to be impaired,
 - (c) who meets the standards of education and training,
 - (d) who meets the standards applicable to registration, and
 - (e) who applies for registration in accordance with the provisions of, or made under, article 35 (applications for registration).
- (2) The registrar must register a person—
- (a) whose entry in the register has been removed other than due to the imposition of a registration measure,
 - (b) in such circumstances as may be prescribed, whose fitness to practise has subsequently been determined by a fitness to practise panel not to be impaired,
 - (c) who meets the standards of education and training,
 - (d) who meets the standards applicable to registration, and
 - (e) who applies for registration in accordance with the provisions of, or made under, article 35 (applications for registration).
- (3) Rules may prescribe that, instead of a fitness to practise panel, a determination under paragraph (1)(b) or (2)(b) is to be made by such a person as may be prescribed.
- (4) The regulator must send notification of the outcome of a determination under paragraph (1)(b) or (2)(b) to the regulated professional.
- (5) The notification must include—
- (a) a statement of the reasons for the determination, and
 - (b) information regarding rights of appeal.
- (6) Proceedings of a fitness to practise panel under paragraph (1)(b) or (2)(b) must be held in public, except in so far as may be prescribed.

Chapter 3

Periodic assessment

Periodic assessment

42.—(1) Rules must make provision for the periodic assessment of regulated professionals against—

- (a) such standards of education and training, and
- (b) such standards applicable to registration,

as the regulator considers appropriate.

(2) The rules may, in particular, prescribe—

- (a) additional criteria against which a regulated professional is to be assessed;
- (b) the maximum period which may elapse before an assessment is to take place;
- (c) the circumstances in which an assessment is otherwise to take place.

Chapter 4
Emergency registration

Emergency registration

43.—(1) The following provisions apply where the relevant authority informs the registrar that—

- (a) an emergency has occurred, is occurring or is about to occur, and
 - (b) the registrar should consider taking action under this article.
- (2) The registrar may register as a relevant regulated professional—
- (a) a person who appears to the registrar to be a fit, proper and suitably experienced person to be so registered with regard to the emergency;
 - (b) a specified group of persons who appear to the registrar to be fit, proper and suitably experienced persons to be so registered with regard to the emergency.
- (3) The registrar may register all the persons in the specified group without identifying each person in the group.
- (4) An entry in the register in relation to a person or group registered in accordance with this article—
- (a) may be removed by the registrar at any time;
 - (b) must be removed by the registrar if the relevant authority informs the registrar that the emergency has come to an end.
- (5) An entry in the register in relation to a person who is registered as a member of a group may be removed individually.
- (6) If a person registered in accordance with this article breaches a restriction to which the registration is subject by virtue of article 37 (registration restrictions and enhancements), anything done in breach of the restriction is to be treated for the purposes of this Order as being done by a person who is not a regulated professional.
- (7) In this article—

“emergency” has the meaning provided by section 19(1)(a) of the Civil Contingencies Act 2004^(a) (meaning of “emergency”);

“relevant authority” means—

- (a) the Secretary of State;
- (b) where the emergency relates to circumstances obtaining in Scotland, the Scottish Ministers;

“relevant regulated professional” means—

- (a) where the relevant authority is the Secretary of State—
 - (i) a medical practitioner;
 - (ii) a physician assistant whose registered address will, on registration, be in England, Wales or Northern Ireland;
 - (iii) a physician assistant in anaesthesia whose registered address will, on registration, be in England, Wales or Northern Ireland
- (b) where the relevant authority is the Scottish Ministers—

(a) 2004 c. 36.

- (i) a physician assistant whose registered address will, on registration, be in Scotland;
- (ii) a physician assistant in anaesthesia whose registered address will, on registration, be in Scotland;

“specified” means specified by the registrar.

Modifications for the purposes of emergency registration

44.—(1) This Order applies in relation to a person or group registered in accordance with article 43 with the following modifications.

- (2) In Part 4, omit article 19 (fees).
- (3) In this Part—
 - (a) omit article 35 (applications for registration);
 - (b) omit article 36 (registration of an entry on the register);
 - (c) article 37 (registration restrictions and enhancements) applies only in so far as rules may, with or without modifications, provide;
 - (d) omit article 38 (removal of an entry from the register - mandatory);
 - (e) omit article 39 (removal of an entry from the register - discretionary);
 - (f) omit article 40 (removal of an entry from the register - supplementary);
 - (g) omit article 41 (re-entry on the register);
 - (h) article 42 (periodic assessment) applies only in so far as rules may, with or without modifications, provide.
- (4) Omit Part 7 (fitness to practise).

Chapter 5

Criminal offences

Offences relating to registration

45.—(1) A person commits an offence if the person, on or after the day on which this article comes into force, with intent to deceive—

- (a) uses a protected title without being entered in the part of the register for the regulated profession with which the title is associated;
 - (b) uses a protected title having fraudulently procured entry in the register for the regulated profession with which the title is associated;
 - (c) otherwise procures, or attempts to procure, the inclusion of information in, or exclusion of information from, the register;
 - (d) falsely represents a person (including himself or herself) to be entered in the register, or in a part of the register;
 - (e) falsely represents the registration of a person (including himself or herself)—
 - (i) as not being subject to a restriction to which the registration is subject, or
 - (ii) as benefiting from an enhancement from which the registration does not benefit;
 - (f) otherwise makes a false representation as to the content of the register.
- (2) A person who commits an offence under this article is liable—
- (a) on summary conviction in England and Wales, to a fine;

- (b) on summary conviction in Scotland or Northern Ireland, to a fine not exceeding level 5 on the standard scale.
- (3) In this article, reference to a protected title is to a title listed in Schedule 2.
- (4) Schedule 3 amends the Anaesthesia Associates and Physician Associates Order 2024^(a) in respect of the corresponding offence for the title protected under that Order, and makes provision for a change of title generally.

Chapter 6

International agreements

European qualifications - basic medical training

46.—(1) For the purposes of article 36(1) (registration of an entry on the register), a person who satisfies the conditions set out in paragraph (2) is deemed to meet—

- (a) the standards of education and training, and
- (b) the standards applicable to registration in respect of—
 - (i) knowledge and skill, and
 - (ii) experience.
- (2) The conditions are—
 - (a) the person holds a qualification listed in the table in point 5.1.1 of Annex 5 (evidence of formal qualifications in basic medical training) to the 2005 Directive,
 - (b) the qualification—
 - (i) is conferred on or after the reference date in the fifth column of the table which corresponds to the entry for the qualification, and
 - (ii) is not evidence of training commenced by the person before that date, and
 - (c) the qualification is accompanied by the certificate listed in the corresponding entry (if any) in the fourth column of the table.
- (3) The regulator may provide that this article does not apply to such qualifications listed in the table as the regulator may, with the consent of the Privy Council, designate.
- (4) A designation must be published by the regulator.
- (5) The regulator may revoke a designation.
- (6) For the purposes of paragraph (3), consent—
 - (a) may be given by two or more members of the Privy Council, and
 - (b) is sufficiently signified by an instrument signed by the Clerk of the Privy Council.
- (7) In this article, “the 2005 Directive” means Directive 2005/36/EC of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications^(b), as it had effect immediately before IP completion day.

European qualifications - general practice and specialist training

47.—(1) For the purposes of article 37(1) (registration restrictions and enhancements), the registration of a regulated professional who satisfies the conditions set out in paragraph (2) is to

^(a) S.I. 2024/374.
^(b) EUR 2005/36.

be subject to a restriction or benefit from an enhancement commensurate with the qualification of the regulated professional mentioned in paragraph (2)(a).

(2) The conditions are—

(a) the person holds a qualification listed in—

- (i) the table in point 5.1.2 (evidence of formal qualifications of specialised doctors) and awarded in a speciality which the Privy Council must by order specify, or
- (ii) the table in point 5.1.4 (evidence of formal qualifications of general practitioners), of Annex 5 to the 2005 Directive, and

(b) the qualification—

- (i) is conferred on or after the corresponding reference date in the fourth column of the table, and
- (ii) is not evidence of training commenced by the person before that date.

(3) Paragraph (3) of article 37 applies to a restriction to which a registration is subject and an enhancement from which a registration benefits by virtue of this article as it applies to a decision under paragraph (1) of that article.

(4) The regulator may provide that this article does not apply to such qualifications listed in either table as the regulator may, with the consent of the Privy Council, designate.

(5) A designation must be published by the regulator.

(6) The regulator may revoke a designation.

(7) For the purposes of paragraph (4), consent—

- (a) may be given by two or more members of the Privy Council, and
- (b) is sufficiently signified by an instrument signed by the Clerk of the Privy Council.

(8) In this article, “the 2005 Directive” has the same meaning as in article 46.

PART 7

Fitness to practise

Chapter 1

Impairment

Impairment of fitness to practise due to criminal conviction

48.—(1) The fitness to practise of a regulated professional is impaired if the regulated professional has been convicted of an offence listed in—

- (a) Part 1 of Schedule 4, or
- (b) Part 2 of that Schedule, in respect of which a custodial sentence has been imposed.

(2) This article does not apply if the offence to which the conviction relates is committed before the day on which this article comes into force in respect of the relevant regulated profession.

Impairment of fitness to practise due to standard of care, misconduct or health

49.—(1) The fitness to practise of a regulated professional may also be impaired if the regulated professional—

- (a) is unable to provide care to a sufficient standard;
- (b) has behaved in a way which amounts to misconduct;

- (c) is adversely affected by a physical or mental health condition.
- (2) Chapter 2 makes provision for determining whether fitness to practise is impaired under this article.
- (3) The regulator must issue guidance on what may constitute impairment for the purposes of paragraph (1)(a) to (c).
- (4) Before issuing the guidance the regulator must consult such persons as the regulator considers appropriate.
- (5) The guidance must be published by the regulator.
- (6) The regulator may vary the guidance.
- (7) Paragraphs (4) to (6) apply in relation to guidance which is varied.

Chapter 2

Determination of impairment and imposition of registration measures

Stage one – initial assessment

- 50.**—(1) Where in accordance with article 49 the regulator considers that the fitness to practise of a regulated professional may be impaired, the regulator must—
- (a) carry out an initial assessment of the regulated professional's fitness to practise, and
 - (b) where the regulator considers appropriate, refer the matter to a case examiner.
- (2) The regulator may, where the regulator considers appropriate, notify the regulated professional or an interested party that it is carrying out an initial assessment.
- (3) If the regulator is minded to refer a matter to a case examiner, the regulator must—
- (a) provide the regulated professional with a statement of reasons as to why the regulator is so minded, and
 - (b) notify the regulated professional of the manner in which, and time within which, written representations regarding the referral may be made to the regulator.
- (4) The regulator may not refer a matter to a case examiner unless—
- (a) written representations have, in the manner notified, been made by the regulated professional and considered by the regulator, or
 - (b) the time within which written representations may be made has expired.
- (5) The regulator may, where the regulator considers appropriate, notify the regulated professional or an interested party of the outcome of the assessment.

Stage two – determination by a case examiner

- 51.**—(1) A case examiner to whom a matter is referred under article 50 must—
- (a) determine whether the fitness to practise of the regulated professional is impaired, or
 - (b) where the case examiner considers appropriate, refer the matter to a fitness to practise panel.
- (2) If the case examiner determines that fitness to practise is not impaired, the case examiner may issue the regulated professional with a warning.
- (3) If the case examiner determines that fitness to practise is impaired, the case examiner may issue a proposal to the regulated professional that a registration measure be imposed.
- (4) The proposal must—
- (a) provide the regulated professional with a copy of the assessment of the evidence,

- (b) state the outcome of the determination regarding fitness to practise,
 - (c) notify the regulated professional of the registration measure which the case examiner proposes imposing, and
 - (d) request that the regulated professional respond before the end of the relevant period.
- (5) The case examiner may impose the proposed registration measure if—
- (a) the regulated professional—
 - (i) accepts that his or her fitness to practise is impaired, and
 - (ii) agrees to the proposed registration measure being imposed, or
 - (b) the regulated professional has not responded before the end of the relevant period.
- (6) If the case examiner may not impose the proposed registration measure because paragraph (5)(a)(i) or (ii) are not satisfied, the case examiner must—
- (a) in such circumstances as may be prescribed, issue an alternative proposal to the regulated professional that a registration measure be imposed (and paragraphs (4) and (5) apply to any alternative proposal), or
 - (b) refer the matter to the fitness to practise panel for further assessment and determination.
- (7) The referral of a matter to a fitness to practise panel under this article may be withdrawn by a case examiner if the panel has not yet reached a determination.
- (8) The regulator must, as soon as reasonably practicable following the referral of a matter to a fitness to practise panel, provide the regulated professional with a statement of reasons for the referral.
- (9) For the purposes of this article, the relevant period is such period as may be prescribed of not less than 28 days beginning with—
- (a) the day on which the information referred to in paragraph (4) is sent to the regulated professional, or
 - (b) if on different days, the last day on which the information is sent.

Stage three – determination by a fitness to practise panel

52.—(1) A fitness to practise panel to which a matter is referred under article 51 must determine whether the fitness to practise of the regulated professional is impaired.

(2) If the fitness to practise panel determines that fitness to practise is not impaired, the panel may issue the regulated professional with a warning.

(3) If the fitness to practise panel determines that fitness to practise is impaired, the panel may impose a registration measure.

(4) Proceedings of a fitness to practise panel under this article must be held in public, except in so far as may be prescribed.

Stages two and three – registration measures which may be imposed

53.—(1) The registration measures which may be imposed by a case examiner or a fitness to practise panel under this Chapter are—

- (a) a condition on registration,
 - (b) a suspension of registration, or
 - (c) a removal of registration.
- (2) The period for which a condition on registration or suspension of registration has effect—
- (a) begins with a day determined in accordance with rules, and

- (b) ends with the expiry of such period of no more than 12 months as the case examiner or panel must specify.

Stages two and three – supplemental

54.—(1) The regulator or the MTS must send notification of a decision mentioned in paragraph (3) to—

- (a) the regulated professional,
- (b) where known—
 - (i) the regulated professional’s employer,
 - (ii) any other person with whom the regulated professional has entered into an arrangement to provide services as a regulated professional, and
 - (iii) any other regulator with which the regulated professional is registered, and
- (c) such other interested parties as the regulator considers appropriate.

(2) The notification of a decision to—

- (a) the regulated professional, must include—
 - (i) a statement of the reasons for the decision, and
 - (ii) information regarding rights of appeal;
- (b) any other party—
 - (i) may include a statement of the reasons for the decision, and
 - (ii) must include information regarding any power to revise the decision.

(3) The decisions are—

- (a) the decision of a case examiner under article 51(2), or fitness to practise panel under article 52(2), to issue a warning (where fitness to practise is found not to be impaired);
- (b) the decision of a case examiner under article 51(5), or fitness to practise panel under article 52(3), whether or not to impose a registration measure (where fitness to practise is found to be impaired).

(4) The regulator or the MTS must publish a decision of a case examiner or fitness to practise panel whether or not—

- (a) to issue a warning under article 51(2) or 52(2), or
- (b) to impose a registration measure under article 51(5) or 52(3).

Chapter 3

Review of registration measures

Registration measures – review

55.—(1) A review of a registration measure which is—

- (a) a condition on registration, or
- (b) a suspension of registration,

may be carried out by a case examiner or fitness to practise panel at any time during the period for which the measure has effect.

(2) The regulator, where a case examiner carries out the review, or the MTS, where a fitness to practise panel carries out the review, must notify the regulated professional to whom the registration measure relates of the manner in which, and time within which, representations may be made to the case examiner or panel.

(3) The case examiner or panel may, taking into account any changes in impairment of the fitness to practise of the regulated professional, modify the measure by—

- (a) amending the period for which the measure has effect;
- (b) amending, revoking or imposing a condition on registration;
- (c) revoking or imposing a suspension of registration;
- (d) imposing a removal of registration.

(4) In amending or imposing a condition on registration or suspension of registration under paragraph (3) of this article, the case examiner or panel may not provide that the registration measure is to have effect for more than an additional 12 months.

(5) The regulator or the MTS must send notification of the outcome of the review and any decision to modify a measure to—

- (a) the regulated professional,
- (b) where known—
 - (i) the regulated professional's employer,
 - (ii) any other person with whom the regulated professional has entered into an arrangement to provide services as a regulated professional, and
 - (iii) any other regulator with which the regulated professional is registered, and
- (c) such other interested parties as the regulator considers appropriate.

(6) The notification of the outcome and any decision to—

- (a) the regulated professional, must include—
 - (i) a statement of the reasons for the decision, and
 - (ii) information regarding rights of appeal;
- (b) any other party—
 - (i) may include a statement of the reasons for the decision, and
 - (ii) must include information regarding any power to revise the decision.

(7) The regulator or the MTS must publish a decision of a case examiner or fitness to practise panel whether or not to modify a registration measure.

PART 8

Further provision relating to registration and fitness to practise

Chapter 1

Interim registration measures

Referral

56.—(1) The registrar may refer a matter which is the subject of registration proceedings to a fitness to practise panel to determine whether an interim registration measure should be imposed in respect of the regulated professional concerned.

(2) A prescribed person may refer a matter which is the subject of fitness to practise proceedings to a fitness to practise panel to determine whether an interim registration measure should be imposed in respect of the regulated professional concerned.

(3) The registrar or prescribed person may withdraw the referral of a matter to a fitness to practise panel under this article at any time before the panel has determined the matter.

(4) The MTS must notify the regulated professional of the manner in which, and time within which, representations may be made to the panel.

Imposition

57.—(1) A fitness to practise panel to which a matter is referred under article 56 may only impose an interim registration measure if, in the opinion of the panel, to do so is necessary—

- (a) for the protection of the public,
- (b) otherwise in the public interest, or
- (c) in the interests of the regulated professional to whom the proceedings relate.

(2) The panel may impose an interim registration measure notwithstanding that the time within which representations may be made has not expired if, by reason of urgency, it considers that it is expedient to do so.

(3) The interim registration measures which may be imposed are—

- (a) a condition on registration, or
- (b) a suspension of registration.

(4) The period for which an interim registration measure has effect begins with a day determined in accordance with rules.

(5) The period for which an interim registration measure has effect ends with—

- (a) the expiry of such period of no more than 18 months as the panel must specify, or
- (b) if earlier, the day on which the registration proceedings or fitness to practise proceedings are concluded.

(6) The MTS must send notification of a decision to impose an interim registration measure to—

- (a) the regulated professional,
- (b) where known—
 - (i) the regulated professional's employer,
 - (ii) any other person with whom the regulated professional has entered into an arrangement to provide services as a regulated professional, and
 - (iii) any other regulator with which the regulated professional is registered, and
- (c) such other interested parties as the regulator considers appropriate.

(7) The notification of a decision to—

- (a) the regulated professional, must include—
 - (i) a statement of the reasons for the decision, and
 - (ii) information regarding rights of appeal;
- (b) any other party, may include a statement of the reasons for the decision.

(8) The MTS must publish a decision of a fitness to practise panel to impose an interim registration measure.

(9) For the purposes of paragraph (5)(b), the day on which registration proceedings or fitness to practise proceedings are concluded is to be determined in accordance with rules.

Extension of maximum duration

58.—(1) The regulator may, at any time during the period for which an interim registration measure has effect, apply to the relevant court for an extension of that period.

(2) The period may not be extended by more than 12 months on each application.

(3) For the purposes of this article, the relevant court is—

- (a) where the registered address of the regulated professional is in England, Wales or Northern Ireland, the High Court;
- (b) where the registered address of that person is in Scotland, the Court of Session.

Review

59.—(1) A review of an interim registration measure may be carried out by a case examiner or a fitness to practise panel at any time during the period for which the measure has effect.

(2) A review of an interim registration measure must be carried out by a case examiner or a fitness to practise panel before the end of the period of six months beginning with the day on which—

- (a) the measure is first imposed,
- (b) a previous review under this article takes place, and
- (c) where applicable, a court extends the period for which a measure has effect under article 58.

(3) The regulator, where a case examiner carries out the review, or the MTS, where a fitness to practise panel carries out the review, must notify the regulated professional of the manner in which, and time within which, representations may be made to the case examiner or panel.

(4) The case examiner or panel may, taking into account any changes in what may be necessary for the protection of the public, otherwise in the public interest or in the interests of the regulated professional to whom the interim registration measure relates, modify the measure by—

- (a) amending the period for which the measure has effect;
- (b) amending, revoking or imposing a condition on registration;
- (c) revoking or imposing a suspension of registration.

(5) The case examiner or panel may not amend the period for which the measure is to have effect to provide that the regulated professional is subject to an interim registration measure or measures in respect of the same matter for more than 18 months.

(6) The regulator or the MTS must send notification of the outcome of the review and any decision to modify a measure to—

- (a) the regulated professional,
- (b) where known—
 - (i) the regulated professional's employer,
 - (ii) any other person with whom the regulated professional has entered into an arrangement to provide services as a regulated professional, and
 - (iii) any other regulator with which the regulated professional is registered, and
- (c) such other interested parties as the regulator considers appropriate.

(7) The notification of the outcome and any decision to—

- (a) the regulated professional, must include—
 - (i) a statement of the reasons for the decision, and

- (ii) information regarding rights of appeal;
- (b) any other party—
 - (i) may include a statement of the reasons for the decision, and
 - (ii) where the review has been carried out by a case examiner, must include information regarding any power to revise the decision under article 66 (revision of prescribed registration and fitness to practise decisions).
- (8) The regulator or the MTS must publish a decision of a case examiner or fitness to practise panel whether or not to modify an interim registration measure.
- (9) The validity of an interim registration measure is not affected by a failure to comply with paragraph (2).

Chapter 2

Information and evidence

Registration assessments and fitness to practise determinations

- 60.**—(1) The regulator may, in connection with proceedings to which this article applies, take such steps as the regulator considers necessary for the purpose of—
- (a) assessing whether a regulated professional, or an applicant for registration as a regulated professional, meets—
 - (i) the standards of education and training;
 - (ii) the standards applicable to registration;
 - (b) determining whether the fitness to practise of a regulated professional is impaired.
- (2) Steps under paragraph (1)(a) may, in particular, include—
- (a) requiring prescribed persons to supply prescribed information;
 - (b) setting examinations;
 - (c) testing language proficiency.
- (3) Steps under paragraph (1) may, in particular, include directing that a regulated professional, or an applicant for registration as a regulated professional, undergo a physical or mental health assessment.
- (4) This article applies to—
- (a) registration proceedings, and
 - (b) fitness to practise proceedings.

Powers relating to the gathering of evidence

- 61.**—(1) The regulator may, for the purpose of gathering evidence relevant to the exercise of its functions in connection with proceedings to which this article applies, require a person to—
- (a) supply such information, or
 - (b) produce such a document,
- as the regulator may specify.
- (2) If the person required to supply information or produce a document—
- (a) is a regulated professional who is the subject of the proceedings, and
 - (b) does not supply the information or produce the document,

the regulator may take such action as may be prescribed^(a).

(3) Action which may be prescribed under paragraph (2) includes taking any step a fitness to practise panel may take under article 53 (stages two and three - registration measures which may be imposed) following a determination of impairment of fitness to practise, in which case the relevant provisions of Part 6 (registration) and Part 9 (revisions and appeals) apply in like manner, subject to such modifications as may be prescribed.

(4) If the person required to supply information or produce a document—

- (a) is other than the regulated professional who is the subject of the proceedings, and
- (b) the person does not supply the information or produce a document, which the regulator considers the person is able to supply or produce, within 14 days of being required to do so under this article,

the regulator may seek an order of the appropriate court requiring the information to be supplied or the document to be produced.

(5) This article applies to—

- (a) registration proceedings,
- (b) fitness to practise proceedings, and
- (c) interim registration measure proceedings.

(6) In this article, reference to the appropriate court is to the county court or, in Scotland, the sheriff in whose Sheriffdom is situated—

- (a) the registered address of the regulated professional, or
- (b) the address of the person concerned last known to the regulator.

Powers relating to the administration of oaths, etc.

62.—(1) In England and Wales and in Northern Ireland, for the purpose of a hearing before a fitness to practise panel or an appeal panel—

- (a) the panel may administer oaths, and
- (b) a party to the proceedings may issue a writ of subpoena ad testificandum or subpoena duces tecum.

(2) Section 36 of the Senior Courts Act 1981^(b) and section 67 of the Judicature (Northern Ireland) Act 1978^(c) (which provide a special procedure for the issue of such writs so as to be in force throughout the United Kingdom) apply in relation to a hearing before a fitness to practise panel or an appeal panel as those provisions apply in relation to causes or matters in the High Court or actions or suits pending in the High Court of Justice in Northern Ireland.

(3) In Scotland, for the purpose of a hearing before a fitness to practise panel or an appeal panel—

- (a) the panel may administer oaths, and
- (b) the Court of Session, on the application of any party to the proceedings, has the same power as in any action in that court—
 - (i) to grant warrant for the citation of witnesses and havers to give evidence or to produce documents and for the issue of letters of second diligence against any witness or haver failing to appear after due citation,

(a) See article 39(12) for the power to remove a regulated professional from registration where the regulated professional has not supplied information or produced a document in accordance with this article.

(b) 1981 c. 54.

(c) 1978 c. 23.

- (ii) to grant warrant for the recovery of documents, and
- (iii) to grant commissions to persons to take the evidence of witnesses or to examine havers and receive their exhibits and productions.

Supply of information and production of documents – supplemental

63.—(1) The power to require the supply of information or the production of a document in articles 61 and 62—

- (a) does not apply to information or a document created by a regulated professional—
 - (i) for the purposes of the regulated professional’s professional development, or
 - (ii) in the course of reflecting on their professional practice in order to improve it;
 - (b) may not compel the supply of information or production of a document which could not be compelled in court on the trial of an action.
- (2) Paragraph (1)(a) does not apply in respect of consideration whether—
- (a) an entry relating to a regulated professional has been procured fraudulently or made incorrectly for the purposes of paragraph (2) of article 39 (removal of an entry from the register - discretionary);
 - (b) the regulated professional has not complied with procedural rules relating to a periodic assessment for the purposes of paragraph (10) of that article.

Chapter 3

Rules

Power to make procedural rules

64.—(1) Rules may make such procedural provision in connection with proceedings to which this article applies as the regulator considers appropriate.

- (2) Rules under paragraph (1) may, in particular, prescribe—
- (a) the manner in which, and time within which, a step must be taken;
 - (b) the way in which cases are to be managed;
 - (c) a procedure for the administration of oaths, and other matters in connection with evidence;
 - (d) a procedure for making representations;
 - (e) a procedure for an assessment or determination;
 - (f) requirements for attendance;
 - (g) the circumstances in which proceedings concerning the same regulated professional, or relating to the same circumstances, may be joined;
 - (h) the circumstances in which proceedings may be disposed of without a hearing.

(3) Rules may not provide that proceedings under Chapter 2 of Part 9 (appeal to an appeal panel by a person to whom a decision relates) may be disposed of without a hearing in circumstances where a hearing has been requested by the person to whom the proceedings relate.

- (4) This article applies to—
- (a) registration proceedings,
 - (b) fitness to practise proceedings, and
 - (c) interim registration measure proceedings.

Power to make rules in relation to non-compliance

65.—(1) Rules may make provision for the consequences arising from a failure by a regulated professional, who is the subject of proceedings to which this article applies, to comply with a requirement imposed in connection with those proceedings.

(2) Provision under paragraph (1) may, in particular, include—

- (a) taking any step a fitness to practise panel may take under article 53 (stages two and three - registration measures which may be imposed) following a determination of impairment of fitness to practise, in which case the relevant provisions of Part 6 (registration) and Part 9 (revisions and appeals) apply in like manner, subject to such modifications as may be prescribed^(a);
- (b) imposing an award of costs or, in Scotland, expenses, in which case rules may also make provision for—
 - (i) assessment or taxation, and
 - (ii) enforcement in like manner as had the award been made by an order of the county court or, in Scotland, by decree of a sheriff.
- (3) This article applies to—
 - (a) registration proceedings,
 - (b) fitness to practise proceedings, and
 - (c) interim registration measure proceedings.

PART 9

Revisions and appeals

Chapter 1

Revisions by the regulator

Revision of prescribed registration and fitness to practise decisions

66.—(1) The regulator may revise—

- (a) a decision of a case examiner under—
 - (i) article 51 (stage two - determination by a case examiner), other than a decision to refer a matter to a fitness to practise panel,
 - (ii) article 55(3) (registration measures - review), and
 - (iii) article 59(4) (interim registration measures - review), and
- (b) such of the following decisions as may be prescribed.
- (2) In Part 6 (registration), a decision of the registrar under—
 - (a) article 36 (registration of an entry on the register);
 - (b) article 37 (registration restrictions and enhancements);
 - (c) articles 38 and 39 (removal of an entry from the register);
 - (d) article 41 (re-entry on the register).
- (3) In Part 7 (fitness to practise), a decision of the regulator under article 50 (stage one – initial assessment).

^(a) See article 39(10) for the power to remove a regulated professional from registration where the regulated professional has not complied with procedural rules relating to a periodic assessment under article 42.

- (4) In that Part, a decision of a case examiner under—
- (a) article 51 (stage two - determination by a case examiner);
 - (b) article 55 (registration measures – review).
- (5) In Part 8 (further provision relating to registration and fitness to practise), a decision of a case examiner under article 59 (interim registration measures – review).
- (6) For each decision which may be revised under or by virtue of this article, rules—
- (a) must make provision regarding the grounds on which, and the circumstances in which, a decision may be revised, and
 - (b) may make provision regarding the cases or circumstances in which the person to whom the decision relates may make written representations to the regulator.
- (7) A decision may be revised by—
- (a) quashing the decision;
 - (b) substituting for the decision being revised a decision that could have been made or reached;
 - (c) quashing the decision and remitting it to be disposed of in accordance with the regulator's directions.
- (8) A revision has effect beginning with a day determined in accordance with rules.
- (9) The regulator must, where practicable, send notification of the revision of a decision to each person to whom notification of the decision was sent.
- (10) The regulator must publish a revised decision, unless the regulator considers that to do so is not necessary for the protection of the public.
- (11) A decision which may be revised under or by virtue of this article—
- (a) includes a decision previously revised under this article, but
 - (b) does not include a decision amended following an appeal under Chapter 2 or 3.

Chapter 2

Appeal to an appeal panel by a person to whom a decision relates

Appeal to an appeal panel

67.—(1) A relevant person may, with the permission of the regulator, appeal a relevant decision or relevant determination under—

- (a) Part 6 (registration), or
- (b) Part 7 (fitness to practise), or
- (c) Chapter 1 of Part 8 (interim registration measures),

to an appeal panel.

- (2) A request for permission to appeal must be received by the regulator before the end of—
- (a) a period of 28 days beginning with the day on which notification of the decision or determination is, in accordance with rules, deemed to have been received, or
 - (b) in such circumstances as may be prescribed, such longer period as the regulator may direct.
- (3) Rules must make provision regarding the grounds on which, and the circumstances in which, a decision or determination may be appealed.
- (4) The regulator must send notification of the outcome of an application for permission to appeal to the person to whom the relevant decision or relevant determination relates.

(5) Proceedings of an appeal panel under this article must be held in public, except in so far as may be prescribed.

(6) The appeal panel may dispose of an appeal under this article by—

- (a) dismissing the appeal;
- (b) quashing the decision or determination under appeal;
- (c) substituting for the decision or determination under appeal a decision or determination that could have been made or reached;
- (d) remitting the matter to be disposed of in accordance with the panel's directions.

(7) The regulator must publish the decision on disposal of the appeal, unless the regulator considers that to do so is not necessary for the protection of the public.

(8) Where an appeal is commenced under this article but, before the appeal is determined, the regulator revises the decision to which the appeal relates under article 66, the appeal is to lapse.

(9) For the purposes of this article—

- (a) a relevant decision is a decision mentioned in article 68, 69 or 70;
- (b) a relevant determination is a determination mentioned in article 69;
- (c) a relevant person is—
 - (i) the regulated professional,
 - (ii) the former regulated professional, or
 - (iii) the applicant for registration as a regulated professional,to whom the decision or determination relates;
- (d) an appeal is commenced when permission to appeal is, in accordance with rules, deemed to have been received by the relevant person;
- (e) reference to a decision includes a revised decision, in which case reference to the day on which notification of the decision is deemed to have been received by the relevant person is to the day on which notification of the revision is deemed to have been received by that person.

Registration decisions which may be appealed to an appeal panel

68.—(1) Relevant decisions under Part 6 (registration) for the purposes of article 67 are as follows.

(2) In article 36 (registration of an entry on the register), a decision of the registrar under paragraph (1) or (2), except for where the decision relates to whether an application for registration has been made in accordance with the provisions of, or made under, article 35.

(3) In article 37 (registration restrictions and enhancements), a decision of the registrar under paragraph (1).

(4) In article 38 (removal of an entry from the register - mandatory), a decision of the registrar under paragraph (1) and (3) (death of a regulated professional).

(5) In article 39 (removal of an entry from the register - discretionary), a decision of the registrar under—

- (a) paragraph (2) (fraud, etc.);
- (b) paragraph (3) (regulated professional's request), except where the person is subject to registration proceedings or fitness to practise proceedings;
- (c) paragraphs (7) to (9) (restrictions and enhancements);
- (d) paragraphs (10) and (11) (periodic assessment);

(e) paragraph (12) (failure to supply information or produce a document).

(6) In article 41 (re-entry on the register), a decision under paragraph (2), except where a fitness to practise panel has determined that a person's fitness to practise is impaired in accordance with that paragraph.

Fitness to practise decisions or determinations which may be appealed to an appeal panel

69.—(1) Relevant decisions under Part 7 (fitness to practise) for the purposes of article 67 are as follows.

(2) In article 51 (stage two – determination by a case examiner)—

(a) in paragraph (2), a decision of a case examiner to issue a warning;

(b) in paragraph (5), a decision of a case examiner to impose a proposed registration measure.

(3) In article 55 (registration measures – review), in paragraph (3), a decision of a case examiner to modify, or not to modify, a registration measure.

(4) A relevant determination under Part 7 (fitness to practise) for the purposes of article 67 is the determination by a case examiner under paragraph (1) of article 51 (stage two - determination by a case examiner) that fitness to practise is impaired where the case examiner has decided not to issue a proposal under paragraph (3) of that article.

Interim registration decisions which may be appealed to an appeal panel

70. A relevant decision under Chapter 1 of Part 8 (interim registration measures) for the purposes of article 67 is a decision of a case examiner under paragraph (4) of article 59 (review) to modify, or not to modify, an interim registration measure.

Chapter 3

Appeal to a court by a person to whom a decision relates

Appeal to an appropriate court

71.—(1) A relevant person may appeal an appealable decision or appealable determination under—

(a) Part 6 (registration),

(b) Part 7 (fitness to practise), or

(c) Chapter 1 of Part 8 (interim registration measures),

to the appropriate court.

(2) An appeal must be brought before the end of a period of 28 days beginning with the day on which notification of the decision or determination is, in accordance with rules, deemed to have been received by the relevant person.

(3) The court may dispose of an appeal under this article by—

(a) dismissing the appeal;

(b) quashing the decision or determination under appeal;

(c) substituting for the decision or determination under appeal a decision or determination that could have been made or reached;

(d) remitting the matter to be disposed of in accordance with the court's directions.

(4) Where an appeal is commenced under this article but the regulator revises the decision to which the appeal relates before the appeal is determined, the appeal is to lapse.

(5) The court may make any order as to costs or, in Scotland, expenses as it thinks fit.

- (6) For the purposes of this article—
- (a) an appealable decision is a decision mentioned in articles 72 to 75;
 - (b) an appealable determination is a determination mentioned in article 74;
 - (c) a relevant person is—
 - (i) the regulated professional,
 - (ii) the former regulated professional, or
 - (iii) the applicant for registration as a regulated professional,to whom the decision or determination relates.
- (7) For the purposes of this article, reference to a decision or determination includes—
- (a) a revised decision, and
 - (b) a decision or determination amended following an appeal to an appeal panel under article 67 (appeal to an appeal panel).

Registration decisions - appeal to the county court or sheriff

72.—(1) Appealable decisions under Part 6 (registration) for the purposes of article 71 are as follows.

(2) In article 36 (registration of an entry on the register), a decision of the registrar, except for where the decision relates to whether an application for registration has been made in accordance with the provisions of, or made under, article 35 (applications for registration).

(3) In article 37 (registration restrictions and enhancements), a decision of the registrar under paragraph (1).

(4) In article 38 (removal of an entry from the register - mandatory), a decision of the registrar under paragraph (3) (death of a regulated professional).

(5) In article 39 (removal of an entry from the register - discretionary), a decision of the registrar under—

- (a) paragraph (2) (fraud, etc.);
 - (b) paragraph (3) (regulated professional's request), except where the person is subject to registration proceedings or fitness to practise proceedings;
 - (c) paragraphs (7) to (9) (restrictions and enhancements);
 - (d) paragraphs (10) and (11) (periodic assessment);
 - (e) paragraph (12) (failure to supply information or produce a document).
- (6) An appeal may only be brought under this article if—
- (a) permission to appeal to an appeal panel has been refused under paragraph (1) of article 67 (appeal to an appeal panel), or
 - (b) an appeal panel has disposed of the appeal in accordance with paragraph (6) of that article.

(7) The appropriate court for a decision which is an appealable decision by virtue of this article is—

- (a) where the registered address of the relevant person (within the meaning of article 71) is in England, Wales or Northern Ireland, or would have been had the person been registered, the county court;
- (b) where the registered address of that person is in Scotland, or would have been had the person been registered, the sheriff in whose Sheriffdom the address is situated.

Registration decisions - appeal to the High Court or Court of Session

73.—(1) Appealable decisions under Part 6 (registration) for the purposes of article 71 are also as follows.

(2) In article 38 (removal of an entry from the register - mandatory), a decision of the registrar relating to the removal of an entry in accordance with paragraph (2)(a) (impairment of fitness to practise due to criminal conviction).

(3) In article 41 (re-entry on the register), a decision of the registrar under—

- (a) paragraph (1) (registration following a removal due to the imposition of a registration measure);
- (b) paragraph (2) (registration following a removal other than due to the imposition of a registration measure).

(4) Unless a fitness to practise panel has determined that a person's fitness to practise is impaired in accordance with paragraph (2) of article 41, an appeal may only be brought under paragraph (3)(b) if—

- (a) permission to appeal to an appeal panel has been refused under paragraph (1) of article 67, or
- (b) an appeal panel has disposed of the appeal in accordance with paragraph (6) of that article.

(5) The appropriate court for a decision which is an appealable decision by virtue of this article is—

- (a) where the registered address of the relevant person (within the meaning of article 71) is in England, Wales or Northern Ireland, or would have been had the person been registered, the High Court;
- (b) where the registered address of that person is in Scotland, or would have been had the person been registered, the Court of Session.

Fitness to practise decisions or determinations - appeal to the High Court or Court of Session

74.—(1) Appealable decisions and appealable determinations under Part 7 (fitness to practise) for the purposes of article 71 are as follows.

(2) In article 51 (stage two – determination by a case examiner), in paragraph (1), a determination by a case examiner that fitness to practise is impaired where the case examiner has decided not to issue a proposal under paragraph (3) of that article.

(3) In that article—

- (a) in paragraph (2), a decision of a case examiner to issue a warning;
- (b) in paragraph (5), a decision of a case examiner to impose the proposed registration measure.

(4) In article 52 (stage three – determination by a fitness to practise panel), in paragraph (1), a determination by a fitness to practise panel where the panel has decided not to impose a registration measure under paragraph (3) of that article.

(5) In that article—

- (a) in paragraph (2), a decision of a fitness to practise panel to issue a warning;
- (b) in paragraph (3), a decision of a fitness to practise panel to impose a registration measure.

(6) In article 55 (registration measures – review), in paragraph (3), a decision of a case examiner or fitness to practise panel to modify, or not to modify, a registration measure.

(7) An appeal may only be brought under paragraphs (2), (3) or (6) against a decision of, or a determination by, a case examiner if—

- (a) permission to appeal to an appeal panel has been refused under paragraph (1) of article 67 (appeal to an appeal panel), or
- (b) an appeal panel has disposed of the appeal in accordance with paragraph (6) of that article.

(8) The appropriate court for a decision or determination which is an appealable decision or determination by virtue of this article is—

- (a) where the registered address of the relevant person (within the meaning of article 71) is in England, Wales or Northern Ireland, or would have been had the person been registered, the High Court;
- (b) where the registered address of that person is in Scotland, or would have been had the person been registered, the Court of Session.

Interim registration measure decisions - appeal to the High Court or Court of Session

75.—(1) Appealable decisions under Chapter 1 of Part 8 (interim registration measures) for the purposes of article 71 are as follows.

(2) In article 57 (imposition), in paragraph (1), a decision of a fitness to practise panel to impose an interim registration measure.

(3) In article 59 (review), in paragraph (4), a decision of a case examiner or fitness to practise panel to modify, or not to modify, an interim registration measure.

(4) An appeal may only be brought under paragraph (3) against a decision of a case examiner if—

- (a) permission to appeal to an appeal panel has been refused under paragraph (1) of article 67 (appeal to an appeal panel), or
- (b) an appeal panel has disposed of the appeal in accordance with paragraph (6) of that article.

(5) The appropriate court for a decision which is an appealable decision by virtue of this article is—

- (a) where the registered address of relevant person (within the meaning of article 71) is in England, Wales or Northern Ireland, or would have been had the person been registered, the High Court;
- (b) where the registered address of that person is in Scotland, or would have been had the person been registered, the Court of Session.

Chapter 4

Appeal to a court by the regulator

Appeal to an appropriate court

76.—(1) The regulator may appeal an appealable decision or appealable determination under Part 7 (fitness to practise) to the appropriate court.

(2) An appeal must be brought before the end of 28 days beginning with the day on which notification of the decision is, in accordance with rules, deemed to have been received by the relevant person.

(3) The court may dispose of an appeal under this article by—

- (a) dismissing the appeal;

- (b) quashing the decision or determination under appeal;
 - (c) substituting for the decision or determination under appeal a decision or determination that could have been made or reached;
 - (d) remitting the matter to be disposed of in accordance with the court's directions.
- (4) Where an appeal is commenced under this article but the regulator revises the decision to which the appeal relates before the appeal is determined, the appeal is to lapse.
- (5) The court may make any order as to costs or, in Scotland, expenses as it thinks fit.
- (6) For the purposes of this article, an appealable decision and an appealable determination is a decision or determination mentioned in article 77.
- (7) For the purposes of this article, reference to a decision or determination includes—
- (a) a revised decision, and
 - (b) a decision or determination amended following an appeal to an appeal panel under article 67 (appeal to an appeal panel).

Fitness to practise decisions or determinations - appeal to the High Court or Court of Session

77.—(1) Appealable decisions and appealable determinations under Part 7 (fitness to practise) for the purposes of article 71 are as follows.

(2) In article 52 (stage three - determination by a fitness to practise panel), in paragraph (1), a determination whether the fitness to practise of the regulated professional is impaired.

(3) In that article, in paragraph (3), a decision of a fitness to practise panel whether or not to impose a registration measure.

(4) In article 55 (registration measures - review), in paragraph (3), a decision of a fitness to practise panel whether or not to modify a registration measure.

(5) In article 57 (imposition), in paragraph (1), a decision of a fitness to practise panel whether or not to impose an interim registration measure.

(6) In article 59 (review), in paragraph (4), a decision of a fitness to practise panel whether or not to modify an interim registration measure.

(7) The appropriate court for a decision or determination which is an appealable decision or determination by virtue of this article is—

- (a) where the registered address of the person to whom the decision relates is in England, Wales or Northern Ireland, or would have been had the person been registered, the High Court;
- (b) where the registered address of that person is in Scotland, or would have been had the person been registered, the Court of Session.

Chapter 5

International agreements

Specified state qualifications - additional grounds of appeal

78.—(1) For the purposes of articles 68(2) (registration decisions which may be appealed to an appeal panel) and 72(2) (registration decisions - appeal to the county court or sheriff), the registrar is deemed to have decided not to register a person in the circumstances set out in paragraph (2).

(2) The circumstances are—

- (a) the person has applied for registration in reliance on a specified state qualification, and

- (b) the regulator has not, within the notification period, notified the person—
 - (i) in accordance with paragraph (3) of article 36 (registration of an entry in the register), of the registrar’s decision under paragraph (1) of that article, or
 - (ii) in accordance with paragraph (3) of article 37 (registrations restrictions and enhancements), that the person’s registration is to be subject to a restriction or benefit from an enhancement which is commensurate with the person’s professional qualifications.
- (3) Where this article applies—
 - (a) article 67 (appeal to an appeal panel) has effect as if, for paragraph (2)(a), there were substituted—
 - “(a) a period of 28 days beginning with the day on which the notification period ends, or”;
 - (b) article 71 (appeal to an appropriate court) has effect as if, for paragraph (2), there were substituted—
 - “(2) An appeal must be brought before the end of a period of 28 days beginning with the day on which the notification period ends.”
- (4) For the purposes of this article—
 - (a) a specified state qualification is a qualification comparable to that of a regulated professional, granted in one of the states specified from time to time in Schedule 1 to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023(a);
 - (b) the notification period is a period of four months beginning with the day after the day on which a complete application is received by the registrar;
 - (c) a complete application is an application which complies with the requirements of article 35 (applications for registration).

PART 10

Supplemental

Orders

- 79.—**(1) A power of the Privy Council to make an order under this Order may be exercised by two or more members of the Privy Council.
- (2) The making of an order under this Order is sufficiently signified by an instrument signed by the Clerk of the Privy Council.
- (3) An instrument containing an order under this Order purporting to be signed by the Clerk of the Privy Council is evidence, and in Scotland sufficient evidence, of the fact that the order was duly made and of its terms.
- (4) An order made by the Privy Council under this Order, except as provided by paragraph (6), is to be made by statutory instrument.
- (5) Section 1(1) of the Statutory Instruments Act 1946(b) (definition of “statutory instrument”) applies to such an order as if the power to make it were conferred on a Minister of the Crown by an Act.

(a) S.I. 2023/1286. Schedule 1 was amended by S.I. 2024/1379.
 (b) 1946 c. 36.

(6) An order under article 2(4) or 82(5) that makes provision which, were it contained in an Act of the Scottish Parliament, would be within the legislative competence of that Parliament, is to be made by Scottish statutory instrument.

(7) Section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010^(a) (definition of “Scottish statutory instrument”) applies to such an order as if the power to make it were conferred on the Scottish Ministers.

(8) A statutory instrument which contains an order under paragraph 5 of Schedule 1 may not be made unless a draft of the instrument has been laid before and approved by a resolution of—

- (a) each House of Parliament, and
- (b) the Scottish Parliament.

(9) A statutory instrument which contains an order under article 2(4), 37(6) or 82(5) is subject to annulment in pursuance of a resolution of either House of Parliament.

(10) A Scottish statutory instrument which contains an order under article 2(4) or 82(5) is subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

(11) A power of the Privy Council to make an order under this Order includes the power to make—

- (a) different provision for different purposes;
- (b) provision in relation to all or only some of the purposes for which it may be used;
- (c) incidental, supplementary, consequential, transitional, transitory or saving provision.

(12) Any such power includes the power to provide for a person to exercise a discretion in dealing with a matter.

Rules

80.—(1) Rules under this Order are to be made in writing.

(2) An instrument containing rules under this Order must—

- (a) specify the provision under which the rules are made, and
- (b) be published by the regulator.

(3) Before making rules the regulator must consult, to the extent it considers appropriate, representatives of—

- (a) the regulated professions,
- (b) the employers of regulated professionals,
- (c) the users of the services of regulated professionals,
- (d) persons providing, assessing or funding education or training for regulated professionals, and
- (e) any other group of persons which appear to the regulator likely to be affected by the rules.

(4) Where the regulator considers that it is not appropriate to consult before making rules by reason of urgency, it must consult the representatives mentioned in paragraph (3) as soon as reasonably practicable after making them.

(5) The regulator must notify the Secretary of State, the Welsh Ministers, the Scottish Ministers and the Department for Health in Northern Ireland if the regulator—

^(a) 2010 (asp. 10).

- (a) makes rules under this Order, or
 - (b) issues a consultation in respect of any such rules.
- (6) A power to make rules under this Order includes the power to make—
- (a) different provision for different cases or different classes of case;
 - (b) different provision for different purposes;
 - (c) provision in relation to all or only some of the purposes for which it may be used;
 - (d) incidental, supplementary, consequential, transitional, transitory or saving provision.
- (7) Any such power includes the power to provide for a person to exercise a discretion in dealing with a matter.

Interpretation

81.—(1) In this Order—

“appeal” means, unless the contrary intention appears, an appeal under Chapter 2 or 3 of Part 9;

“appeal panel” means an appeal panel convened in accordance with paragraph 19 of Schedule 1;

“case examiner” means a person appointed in accordance with paragraph 24 of Schedule 1;

“fitness to practise panel” means a fitness to practise panel convened in accordance with paragraph 19 of Schedule 1;

“fitness to practise proceedings” means proceedings arising on the exercise of a function, other than a function in relation to making rules, under—

- (a) Chapter 2 or 3 of Part 7, or
- (b) Chapter 1 or 2 of Part 9 on a revision of, or appeal against, a decision taken under Chapter 2 or 3 of Part 7;

“interim registration measure proceedings” means proceedings arising on the exercise of a function, other than a function in relation to making rules, under—

- (a) Chapter 1 of Part 8, or
- (b) Chapter 1 or 2 of Part 9 on a revision of, or appeal against, a decision under Chapter 1 of Part 8;

“meeting” means a meeting of the members of the regulator;

“member” means an executive or non-executive member of the regulator appointed under paragraph 2 of Schedule 1;

“MTS” means the medical tribunal service established under Chapter 1 of Part 2 of Schedule 1;

“periodic assessment” means an assessment under article 42;

“prescribe” means prescribe in rules;

“publish” means, unless the contrary intention appears, publish in such a manner as the publisher considers appropriate;

“register” means the register established under article 32;

“registered” means entered in the register;

“registered address” means the address for a regulated professional entered on the register in accordance with article 33;

“registration measure” means a registration measure mentioned in article 53(1);

“registration proceedings” means proceedings arising on the exercise of a function, other than a function in relation to making rules, under—

- (a) Chapter 2, 3 or 4 of Part 6, or
- (b) Chapter 1 or 2 of Part 9 on a revision of, or appeal against, a decision under Chapter 2 or 3 of Part 6;

“regulated professional” means, unless the contrary intention appears—

- (a) a medical practitioner,
- (b) a physician assistant, or
- (c) a physician assistant in anaesthesia,

entered in the relevant part of the register, and includes a person subject to a suspension from registration where an interim registration measure is imposed, and “regulated profession” is to be construed accordingly;

“regulator” means, unless the contrary intention appears, the General Medical Council;

“revision” means a revision under Chapter 1 of Part 9, and “revise” is to be construed accordingly;

“rules” means rules made by the regulator;

“standards applicable to registration” means the standards determined under article 34;

“standards of education and training” means the standards determined under article 25.

(2) In this Order, a reference to—

- (a) an article, Schedule, Chapter or Part by number alone is to the article, Schedule, Chapter or Part so numbered in this Order;
- (b) a person meeting the standards of education and training, or standards applicable to registration, is a reference to meeting such of those standards as apply to the profession for which the person is applying for registration or for which the person is registered;
- (c) the period for which a registration measure has effect is to the period determined in accordance with article 53(2), as that period may have been amended in accordance with—
 - (i) Chapter 3 of Part 7 (review of registration measures);
 - (ii) Part 9 (revisions and appeals);
- (d) unless the contrary intention appears, the notification or publication of—
 - (i) the outcome of an assessment or determination does not include a reference to the reasons for, or any decision taken in consequence of, the outcome;
 - (ii) a decision does not include a reference to the reasons for the decision.

Consequential provision, etc

82.—(1) In the Medical Act 1983(a), omit—

- (a) Parts 1 to 5, and

(a) 1983 c. 54.

- (b) Part 6.
- (2) Schedule 5 makes further minor and consequential amendments to primary legislation.
- (3) The Anaesthesia Associates and Physician Associates Order 2024^(a) is revoked.
- (4) In consequence of paragraph (3), article 45(4) of, and Schedule 3 to, this Order are revoked.
- (5) The Privy Council may by order make further provision that is consequential on this Order.
- (6) An order under paragraph (5) may amend or revoke an enactment contained in—
- (a) subordinate legislation (within the meaning of the Interpretation Act 1978^(b));
 - (b) an instrument made under a Measure or Act of Senedd Cymru;
 - (c) an instrument made under an Act of the Scottish Parliament;
 - (d) an instrument made under Northern Ireland legislation.

[date]

[Name]
Clerk of the Privy Council

^(a) S.I. 2024/374.
^(b) 1978 c. 30. See section 21.

SCHEDULES

SCHEDULE 1

Article 5

Constitution of the regulator

PART 1

The regulator

The regulator

- 1.—(1) The regulator must comprise—
 - (a) two or more non-executive members, and
 - (b) one or more executive members.
- (2) The regulator must comprise no more than fourteen members, of whom—
 - (a) the number of non-executive members must be greater than the number of executive members,
 - (b) the number of members who—
 - (i) are registered as a regulated professional,
 - (ii) have been registered as a regulated professional, or
 - (iii) otherwise hold a qualification approved under article 26 (approval of education and training),must not be greater than the number of members who are not registered, have not been registered or do not hold such a qualification, and
 - (c) at least one non-executive member must habitually reside or work in each of England, Wales, Scotland and Northern Ireland.
- (3) Sub-paragraph (2)(c) does not apply—
 - (a) as regards England, with the consent of the Secretary of State;
 - (b) as regards Wales, with the consent of the Welsh Ministers;
 - (c) as regards Scotland, with the consent of the Scottish Ministers;
 - (d) as regards Northern Ireland, with the consent of the Department of Health in Northern Ireland.
- (4) Consent under sub-paragraph (3) may be withdrawn at any time, in which case—
 - (a) sub-paragraph (2)(c) applies, and
 - (b) the regulator must, as soon as reasonably practicable following the withdrawal, comply with the requirement in that sub-paragraph.

Appointment of members

- 2.—(1) The Privy Council is to appoint the non-executive members, one of whom it must appoint as the chair of the regulator.
- (2) An employee of the regulator may not be appointed as a non-executive member.

(3) The appointment of a non-executive member is to be for such a period of no more than eight years as the Privy Council must determine at the time the appointment is made.

(4) A non-executive director may not be reappointed as such in so far as the periods of appointment taken together would exceed eight years in any period of twenty years.

(5) The non-executive members are to appoint the executive members, one of whom they must appoint as the chief executive of the regulator.

(6) The appointment of an executive member—

- (a) is to be for such a period as the non-executive members may determine at the time the appointment is made, or
- (b) may be determined by the non-executive members at that time to be of an indefinite duration.

Remuneration and expenses of members

3.—(1) The regulator may pay its members such sums by way of remuneration and expenses as the regulator may determine.

(2) For the purposes of this paragraph, expenses may include those incurred in connection with duties undertaken as a trustee of the regulator.

Registration and publication of a member's private interests

4. The regulator must—

- (a) maintain a system for the declaration and registration of a member's private interests, and
- (b) publish details of interests so registered.

Further provision as to constitution

5.—(1) The Privy Council must by order make further provision as to the constitution of the regulator.

(2) An order under sub-paragraph (1) may, in particular, include provision about—

- (a) the number of members (executive and non-executive) who may be appointed;
- (b) the terms upon which a member may be appointed, which may include that these are to be determined by the Privy Council on appointment;
- (c) the period for which a member may be appointed;
- (d) the circumstances in which a member may otherwise—
 - (i) cease to hold the appointment;
 - (ii) be suspended from the appointment;
- (e) disqualification from being a member;
- (f) deputising arrangements;
- (g) the effect of any vacancy in membership;
- (h) the effect of any defect in an appointment;
- (i) education and training requirements for members.

Procedure

6.—(1) The regulator must specify in standing orders the manner in which it conducts its meetings.

(2) Standing orders under sub-paragraph (1)—

- (a) may not specify a quorum for meetings of the regulator of less than half the number of its members, and
- (b) must provide—
 - (i) for such meetings to be held in public, except in so far as the regulator may specify, and
 - (ii) a procedure by which a person may apply for the record of a meeting held in public.

(3) Standing orders must be published by the regulator.

(4) The regulator may amend or replace standing orders.

(5) Sub-paragraphs (3) and (4) apply in relation to amended or replaced standing orders.

Regulated professional and lay engagement

7.—(1) The regulator must put in place arrangements to ensure that, where appropriate in the conduct of its meetings, the regulator takes into account the views of—

- (a) regulated professionals, and
- (b) those who do not hold a qualification approved under article 26 (approval of education and training),

and does not apply a disproportionate weighting to the views of either.

(2) The arrangements must be published by the regulator.

(3) The regulator must—

- (a) keep the arrangements under review, and
- (b) where the regulator considers appropriate, amend the arrangements.

(4) Sub-paragraphs (2) and (3) apply to amended arrangements.

PART 2

Regulator committees

Chapter 1

Medical tribunal service

Medical tribunal service

8.—(1) The regulator must establish a committee known as the medical tribunal service (“the MTS”).

(2) The MTS is to exercise on behalf of the regulator the functions conferred on it by this Order.

(3) Rules must make provision in respect of—

- (a) the constitution of the MTS,
- (b) appointments by the regulator to the MTS,

- (c) the terms upon which an appointment is made,
 - (d) the period for which an appointment is to endure,
 - (e) the circumstances in which an appointment otherwise may cease,
 - (f) the quorum applicable to the MTS,
 - (g) the procedure by which the MTS is to carry out its functions, and
 - (h) such other matters as the regulator considers appropriate.
- (4) In making rules under sub-paragraph (3), securing that the MTS exercises its functions justly is paramount (and, in cases of conflict, overrides the regulator's objective under article 6).
- (5) Rules under sub-paragraph (3)(b) may, in particular, include provision in respect of the skills and expertise which a person must have in order to be eligible for appointment to the MTS.
- (6) The MTS must not comprise more persons who are regulated professionals than those who are not regulated professionals.

Principle of separation

9. A member of the regulator appointed under paragraph 2 may not be appointed to the MTS.

Remuneration and expenses

10. The regulator may pay a person appointed to the MTS such sums by way of remuneration and expenses as the regulator may determine.

Registration and publication of private interests

11. The MTS must—
- (a) maintain a system for the declaration and registration of private interests of persons appointed to the MTS, and
 - (b) publish details of interests so registered.

Regulator power of direction

12. The regulator may direct the MTS to delegate to the chair of the MTS such functions of the MTS as the regulator may specify.

Annual report

- 13.—(1) The MTS must, by the relevant date in each year, publish a report on the exercise of its functions.
- (2) The report must include details of—
- (a) the arrangements that the MTS has put in place to ensure it applies good practice in relation to equality and diversity (within the meaning of section 8(2) of the Equality Act 2006^(a));
 - (b) the nature and volume of cases with which it has dealt during the preceding year;
 - (c) any points of learning it has identified during that period and its proposals for addressing them.

(a) 2003 c. 3.

(3) The MTS must submit a copy of the report to the Privy Council as soon as reasonably practicable following publication.

(4) The Privy Council must lay a copy of the report before—

- (a) Parliament,
- (b) Senedd Cymru,
- (c) the Scottish Parliament, and
- (d) the Northern Ireland Assembly.

(5) For the purposes of sub-paragraph (1), the relevant date is the date specified by the Privy Council for the purposes of this paragraph.

Chapter 2

Additional committees and sub-committees

Additional committees

14.—(1) The regulator may by standing orders establish one or more additional committees to exercise on its behalf such functions as the regulator may specify.

(2) For each committee established under this paragraph, the regulator must specify in standing orders its terms of reference.

(3) The standing orders must make provision in respect of—

- (a) the constitution of the committee,
- (b) appointments by the regulator to the committee,
- (c) the terms upon which an appointment is made,
- (d) the period for which an appointment is to endure,
- (e) the circumstances in which an appointment otherwise may cease,
- (f) where more than one appointment is made, the quorum applicable to the committee,
- (g) the procedure by which the committee is to carry out its functions, and
- (h) such other matters as the regulator considers appropriate.

(4) In appointing a person to a committee, the regulator must consider—

- (a) the skills and expertise required to carry out its functions,
- (b) the desirability of including on the committee both regulated professionals and those who are not regulated professionals, and
- (c) the impact of the composition of the committee on the regulated profession and the public.

(5) A committee established under this paragraph may not—

- (a) exercise a function of—
 - (i) an appeal panel,
 - (ii) a fitness to practise panel, or
 - (iii) the MTS, or
- (b) exercise the function of making rules.

(6) Standing orders must be published by the regulator.

(7) The regulator may amend or replace the standing orders.

(8) Sub-paragraphs (6) and (7) apply in relation to amended or replaced standing orders.

Sub-committees

15.—(1) A committee established under paragraph 8 or 14 may establish a sub-committee to exercise on its behalf such functions as the committee may specify.

(2) For each sub-committee established under this paragraph, the committee must specify terms of reference.

(3) The committee must also specify provision in respect of—

- (a) the constitution of the sub-committee,
- (b) appointments by the committee to the sub-committee,
- (c) the terms upon which an appointment is made,
- (d) the period for which an appointment is to endure,
- (e) the circumstances in which an appointment otherwise may cease,
- (f) where more than one appointment is made, the quorum applicable to the sub-committee,
- (g) the procedure by which the sub-committee is to carry out its functions, and
- (h) such other matters as the committee considers appropriate.

(4) In appointing a person to a sub-committee, the committee must consider—

- (a) the skills and expertise required to carry out its functions,
- (b) the desirability of including on the sub-committee both regulated professionals and those who are not regulated professionals, and
- (c) the impact of the composition of the sub-committee on the regulated profession and the public.

(5) Matters specified in accordance with sub-paragraphs (2) and (3) must be published by the committee.

(6) The power to establish a sub-committee under this paragraph includes the power—

- (a) to dissolve the sub-committee, and
- (b) to make such incidental, supplementary, consequential or transitional provision in connection with the dissolution as the committee considers appropriate.

Principle of separation

16. A member of the regulator appointed under paragraph 2 may not be appointed to a committee established under paragraph 14 or a sub-committee established under paragraph 15 for which the terms of reference include a function arising in fitness to practise proceedings.

Remuneration and expenses

17. The regulator may pay a person appointed to a committee established under paragraph 14 or a sub-committee established under paragraph 15 such sums by way of remuneration and expenses as the regulator may determine.

Registration and publication of private interests

18. A committee established under paragraph 14 and a sub-committee established under paragraph 15 must—

- (a) maintain a system for the declaration and registration of private interests of persons appointed to the committee or sub-committee, and
- (b) publish details of interests so registered.

PART 3

Adjudicatory bodies

Appeal panels and fitness to practise panels

19.—(1) The regulator must convene one or more panels, to be known as “appeal panels”, to exercise, on behalf of the regulator, functions in relation to appeals against decisions made under this Order.

(2) The MTS must convene one or more panels, to be known as “fitness to practise panels”, to exercise, on behalf of the regulator, functions in relation to the fitness to practise of regulated professionals under this Order.

(3) An appeal panel or a fitness to practise panel may be convened—

- (a) as the need to exercise a function arises;
- (b) to deal with one matter only or to deal with more than one matter.

(4) Rules must make provision in respect of—

- (a) the constitution of appeal panels and fitness to practise panels,
- (b) appointments to appeal panels and fitness to practise panels,
- (c) where more than one appointment is made, the quorum applicable to appeal panels and fitness to practise panels,
- (d) the period for which appeal panels and fitness to practise panels are to be convened,
- (e) the procedure by which appeal panels and fitness to practise panels are to carry out their functions, and
- (f) such other matters as the regulator considers appropriate.

Principle of separation

20. A member of the regulator appointed under paragraph 2 may not be appointed to an appeal panel or a fitness to practise panel.

Remuneration and expenses

21. The regulator may pay a person appointed to an appeal panel or a fitness to practise panel such sums by way of remuneration and expenses as the regulator may determine.

Registration and publication of private interests

22. The regulator in respect of an appeal panel, and the MTS in respect of a fitness to practise panel, must—

- (a) maintain a system for the declaration and registration of private interests of persons appointed to the appeal panel or fitness to practise panel, and
- (b) publish details of interests so registered.

PART 4

Additional appointments

Appointment of registrar

- 23.—**(1) The regulator must appoint a person to be its registrar.
- (2) The registrar is to exercise on behalf of the regulator the functions conferred on the registrar by or under this Order.

Appointment of case examiners

- 24.—**(1) The regulator must appoint one or more persons to be case examiners.
- (2) A case examiner is to exercise on behalf of the regulator the functions conferred on a case examiner by or under this Order.

Supplemental provision relating to appointments

- 25.—**(1) For a person appointed under paragraph 23 or 24, the regulator may determine—
- (a) the terms upon which the appointment is made,
 - (b) the period for which the appointment is to endure, which may be for an indefinite duration,
 - (c) the circumstances in which the appointment otherwise may cease, and
 - (d) such other matters pertaining to the appointment as the regulator considers appropriate.
- (2) In appointing a person under this Part, the regulator must consider the skills and expertise required to exercise the relevant functions.
- (3) The regulator may pay a person appointed under this Part such sums by way of remuneration and expenses as the regulator may determine.

SCHEDULE 2

Article 45(3)

Protected titles

English	Cymraeg
Physician	Meddyg
Doctor of medicine	Doethur mewn meddygaeth
Surgeon	Llawfeddyg
General practitioner	Meddyg teulu
Registered medical practitioner	Ymarferydd meddygol cofrestredig
Physician assistant	Cynorthwyydd meddyg
Physician assistant in anaesthesia	Cynorthwyydd meddyg mewn anaesthesia

SCHEDULE 3

Article 45(4)

Change of title - amendment of the Anaesthesia Associates and Physician Associates Order 2024

1. Anaesthesia Associates and Physician Associates Order 2024(a) is amended as follows.
2. In article 1, in paragraph (2), for “13th December 2026” substitute “13th June 2027”.
3. In Parts 1 to 6 and Schedules 1 to 4—
 - (a) for “associate”, wherever occurring, substitute “assistant”;
 - (b) for “associate’s”, wherever occurring, substitute “assistant’s”;
 - (c) for “associates”, wherever occurring, substitute “assistants”.
4. In article 2, in paragraph (1), for the definition of “associate” substitute—

““assistant” means—

 - (a) a physician assistant in anaesthesia, or
 - (b) a physician assistant;”.
5. In article 3, in paragraph (1), for “associates” substitute “assistants”.
6. In article 5, in paragraph (1)—
 - (a) for “anaesthesia associates” substitute “physician assistants in anaesthesia”;
 - (b) for “physician associates” substitute “physician assistants”.
7. In article 19, in paragraph (1)(b), for “anaesthesia associate or physician associate” substitute “physician assistant in anaesthesia or physician assistant”.
8. In Schedule 1, in paragraph 3—
 - (a) in sub-paragraph (1), for “anaesthesia associate and physician associate” substitute “physician assistant in anaesthesia and physician assistant”;
 - (b) in sub-paragraph (b)(ii), for “anaesthesia associates and physician associates”, substitute “physician assistants in anaesthesia and physician assistants”.
- 9.—(1) Schedule 3 is amended as follows.
 - (2) In paragraph 1, in sub-paragraph (2)—
 - (a) for “associate’s” substitute “assistant’s”;
 - (b) for “associate”, wherever occurring, substitute “assistant”.
 - (3) In paragraph 3, for “associate”, wherever occurring, substitute “assistant”.
 - (4) In paragraph 6, in sub-paragraph (b)(ii), for “associates” substitute “assistants”.
10. In Schedule 4, in paragraph 15, in sub-paragraph (2), for “associates”, wherever occurring, substitute “assistants”.

(a) S.I. 2024/374.

Fitness to practise – relevant criminal convictions

PART 1

Offences irrespective of a custodial sentence

Common law

1. Murder.

Sexual Offences Act 2003

2. An offence under the following provisions of the Sexual Offences Act 2003(a)—
 - (a) section 1 (rape);
 - (b) section 2 (assault by penetration);
 - (c) section 3 (sexual assault);
 - (d) sections 5 to 8 (rape and other offences against children under 13);
 - (e) sections 9 to 12 and 14 to 15A (child sex offences);
 - (f) sections 30 to 33 (offences against persons with a mental disorder impeding choice);
 - (g) sections 47 to 50 (sexual exploitation of children);
 - (h) sections 66 to 66B, 67 and 67A (exposure and voyeurism).

Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005

3. An offence under sections 9 to 12 of the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005(b) (sexual services of children and child pornography).

Sexual Offences (Northern Ireland) Order 2008

4. An offence under the following provisions of the Sexual Offences (Northern Ireland) Order 2008(c)—
 - (a) article 5 (rape);
 - (b) article 6 (assault by penetration);
 - (c) article 7 (sexual assault);
 - (d) article 12 (rape of a child under 13);
 - (e) articles 13 to 15 (assault in relation to children under 13);
 - (f) articles 16 to 19 and 22A (sexual offences against children under 16);

(a) 2003 c. 42. Sections 47 to 50 were repealed in relation to Northern Ireland by articles 78(c) and 83 of, and Schedule 3 to, the Sexual Offences (Northern Ireland) Order 2008 (S.I. 2008/1769) (N.I. 2). Section 47(7) was repealed by articles 3 and 8 of the Sexual Offences (Northern Ireland) Consequential Amendments) Order 2008 (S.I. 2008/1779). Sections 48 to 50 were amended by section 68(1) and (3) to (5) of the Serious Crime Act 2015 (c. 9).

(b) 2005 asp 9. Sections 9 to 12 were amended by section 40(2) of the Criminal Justice and Licensing (Scotland) Act 2010 asp 13.

(c) S.I. 2008/1769 (N.I. 2).

- (g) articles 37 to 40 (abuse of children under 18: payment for sexual services and involvement in indecent images);
- (h) articles 43 to 46 (offences against persons with a mental disorder impeding choice);
- (i) articles 70 to 71B (exposure and voyeurism).

Sexual Offences (Scotland) Act 2009

5. An offence under the following provisions of the Sexual Offences (Scotland) Act 2009^(a)—

- (a) section 1 (rape);
- (b) section 2 (sexual assault by penetration);
- (c) sections 3 to 9 (sexual assault and other sexual offences);
- (d) sections 18 to 26 (young children);
- (e) sections 28 to 36 (older children).

Modern Slavery Act 2015

6. An offence under the following provisions of the Modern Slavery Act 2015^(b)—

- (a) section 1 (slavery, servitude and forced or compulsory labour);
- (b) section 2 (human trafficking).

Human Trafficking and Exploitation (Scotland) Act 2015

7. An offence under the following provisions of the Human Trafficking and Exploitation (Scotland) Act 2015^(c)—

- (a) section 1 (offence of human trafficking);
- (b) section 4 (slavery, servitude and forced or compulsory labour).

Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015

8. An offence under the following provisions of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015^(d)—

- (a) section 1 (slavery, servitude and forced or compulsory labour);
- (b) section 2 (human trafficking).

PART 2

Offences which result in a custodial sentence

Common law

9. Extortion (in Scotland).

^(a) 2009 asp 9. Section 26 was amended by section 43(4) of the Criminal Justice and Licensing (Scotland) Act 2010.

^(b) 2015 c. 30.

^(c) 2015 asp 12.

^(d) 2015 c. 2 (N.I.).

Theft Act 1968

10. An offence under section 21 of the Theft Act 1968(a) (blackmail).

Theft Act (Northern Ireland) 1969

11. An offence under section 20 of the Theft Act (Northern Ireland) 1969(b) (blackmail).

SCHEDULE 5

Article 82

Minor and consequential amendments to primary legislation

Universities (Scotland) Act 1889

1. In section 6 of the Universities (Scotland) Act 1889(c) (powers of University Court), omit subsection (9).

Children and Young Persons Act 1963

2. In section 26 of the Children and Young Persons Act 1963(d) (medical evidence by certificate), for “fully registered medical practitioner who holds a licence to practise” substitute “registered medical practitioner”.

Criminal Procedure (Insanity) Act 1964

3. In section 8 of the Criminal Procedure (Insanity) Act 1964(e) (short title, interpretation, commencement, extent and repeals), in subsection (2), omit the definition of “registered medical practitioner”.

Public Health Act (Northern Ireland) 1967

4. In section 32 of the Public Health Act (Northern Ireland) 1967(f) (interpretation), for the definition of “medical practitioner” substitute—

““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

Criminal Appeal Act 1968

5. In section 51(1) of the Criminal Appeal Act 1968(g) (interpretation), omit the definition of “registered medical practitioner”.

(a) 1968 c. 60. Section 21 was extended by section 1(1)(d) of the Nuclear Material (Offences) Act 1983 (c. 18).
(b) 1969 c. 16 (N.I.).
(c) 1889 c. 55. Section 6(9) was amended by paragraph 3 of Schedule 2 to the Universities (Scotland) Act 1966 (c. 13).
(d) 1963 c. 37. Section 26 was amended by paragraph 40 of Schedule 11 to the Criminal Justice Act 1991 (c. 53) and by S.I. 2002/3135.
(e) 1964 c. 84. The definition of “registered medical practitioner” was inserted by paragraph 1 of Schedule 3 to the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c. 25) and amended by S.I. 2002/3135.
(f) 1967 c. 36. There are amendments to section 32 but none is relevant.
(g) 1968 c. 19. The definition of “registered medical practitioner” was inserted by paragraph 5(1)(b) of Schedule 3 to the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c. 25) and amended by S.I. 2002/3135.

Social Work (Scotland) Act 1968

6. In section 12A of the Social Work (Scotland) Act 1968(a) (duty of local authority to assess needs), in subsection (8), for the definition of “medical practitioner” substitute—

““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

Mines Act (Northern Ireland) 1969

7. In section 158 of the Mines Act (Northern Ireland) 1969(b) (general interpretation provisions), in subsection (1), for the definition of “doctor” substitute—

““doctor” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

Health and Personal Social Services (Northern Ireland) Order 1972

8. In Article 2 of the Health and Personal Social Services (Northern Ireland) Order 1972(c) (interpretation), in paragraph (2), for the definition of “medical practitioner” substitute—

““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

Health and Safety at Work etc. Act 1974

9.—(1) The Health and Safety at Work etc. Act 1974(d) is amended as follows.

(2) In section 56 (functions of authority responsible for maintaining the service), in subsection (2), for the words from “fully registered medical practitioner” to the end substitute “registered medical practitioner”.

(3) In section 60 (supplementary), in subsection (1), for “fully registered medical practitioner who holds a licence to practise” substitute “registered medical practitioner”.

Births and Deaths Registration (Northern Ireland) Order 1976

10. In Article 2 of the Births and Deaths Registration (Northern Ireland) Order 1976(e) (interpretation), in paragraph (2), for the definition of “registered medical practitioner” substitute—

““registered medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

-
- (a) 1968 c. 49. Section 12A was inserted by section 55 of the National Health Service and Community Care Act 1990 (c. 19). There are amendments to subsection (8) but none is relevant.
- (b) 1969 c. 6 (N.I.). The definition of “doctor” was amended by paragraph 6 of Schedule 5 to the Medical Act 1983 (c. 54).
- (c) S.I. 1972/1265 (N.I. 14). The definition of “medical practitioner” was amended by section 56(1) of, and paragraph 10 of Schedule 6 to, the Medical Act 1983 (c. 54).
- (d) 1974 c. 37. Section 56(2) was amended by S.I. 2002/3135. Subsection 60(1) was amended by paragraph 99 of Schedule 1 to the Health Authorities Act 1995 (c. 17), paragraph 19 of Schedule 5 to the Health and Social Care Act 2012 (c. 7), paragraph 1 of Schedule 1 to, and paragraph 12 of Schedule 4 to, the Health and Care Act 2022 (c. 31) and by S.I. 2002/3135.
- (e) S.I. 1976/1041 (N.I. 14). The definition of “registered medical practitioner” was amended by section 56(1) of, and paragraph 13 of Schedule 6 to, the Medical Act 1983 (c. 54).

Pharmacy (Northern Ireland) Order 1976

11.—(1) The Pharmacy (Northern Ireland) Order 1976(**a**) is amended as follows.

(2) In Article 23 (dispensing, etc., in public institutions), for the words from “a fully registered person” to the end substitute “a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx])”.

(3) In Schedule 3 (fitness to practise), in paragraph 18(9), for the words from “a fully registered person” to the end substitute “a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]), other than one whose registration is subject to a restriction under that Part in relation to all areas of medical practice”.

Poisons (Northern Ireland) Order 1976

12.—(1) The Poisons (Northern Ireland) Order 1976(**b**) is amended as follows.

(2) In Article 2 (interpretation), in paragraph (2)—

(a) at the appropriate place insert—

““duly qualified medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]), other than one whose registration is subject to a restriction under that Part in relation to all areas of medical practice;”;

(b) for the definition of “fully registered person” substitute—

““fully registered person” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

(3) In Article 13 (supplementary provisions relating to methylated spirits and methylated ether), in paragraph (2)(a), for “a person registered under the Medical Acts 1956 to 1969, or” substitute “a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]), or a person registered under”.

National Health Service (Scotland) Act 1978

13. In section 12IK of the National Health Service (Scotland) Act 1978(**c**) (common staffing method: types of health care), in subsection (3)—

(a) at the end of paragraph (a) omit “or”;

(b) omit paragraph (b).

Interpretation Act 1978

14. In Schedule 1 to the Interpretation Act 1978(**d**) (words and expressions defined), for the definition of “Registered medical practitioner” substitute—

““Registered medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]), other than one whose registration is subject to a restriction under that Part in relation to all areas of medical practice.”

-
- (a) S.I. 1976/1213 (N.I. 22). Article 23 was amended by section 56(1) of, and paragraph 14 of Schedule 5 to, the Medical Act 1983 (c. 54). Schedule 3 was amended by S.R. 2012/308.
- (b) S.I. 1976/1214 (N.I. 23). In Article 2, the definition of “fully registered person” was amended by section 56(1) of, and paragraph 15 of Schedule 6 to, the Medical Act 1983 (c. 54).
- (c) 1978 c. 29. Section 12IK was inserted by section 4 of the Health and Care (Staffing) (Scotland) Act 2019 (asp 6).
- (d) 1978 c. 30. The definition of “registered medical practitioner” was substituted by S.I. 2002/3135.

Health and Safety at Work (Northern Ireland) Order 1978

15.—(1) The Health and Safety at Work (Northern Ireland) Order 1978(a) is amended as follows.

(2) In Article 2 (interpretation), in paragraph (2), at the appropriate place insert—

““registered medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]), other than one whose registration is subject to a restriction under that Part in relation to all areas of medical practice;”.

(3) In Article 48 (the employment medical advisory service), in paragraph (4), for “fully registered medical practitioner who holds a licence to practise” substitute “registered medical practitioner”.

(4) In Article 50 (supplementary), omit “fully”.

Tattooing of Minors (Northern Ireland) Order 1979

16. In Article 2 of the Tattooing of Minors (Northern Ireland) Order 1979(b) (interpretation), in paragraph (2), for the definition of “medical practitioner” substitute—

““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

Medical Act 1983

17.—(1) The Medical Act 1983(c) is amended as follows.

(2) In Part 5A (responsible officers)—

(a) in section 45A (requirement to nominate or appoint responsible officer), in subsection (6), for “General Council” substitute “General Medical Council”;

(b) in section 45B (responsibilities of responsible officer), in subsection (1)(b), for the words from “General Council”, in the first place it occurs, to the end substitute “General Medical Council, case examiner or fitness to practise panel in connection with their exercise of functions relating to fitness to practise under Part 7 (fitness to practise) of the General Medical Council Order 2026 (S.I. 2026/[xxxx])”;

(c) in section 45F (interpretation of Part 5A), at the appropriate places insert—

““fitness to practise” has the same meaning as in the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”;

““General Medical Council” means the body of that name which continues to be established by article 4 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

(3) In Part 7 (fitness to practise)—

(a) omit sections 50 to 55;

(b) in section 56 (consequential amendments, repeals, transitional provisions and savings)—
(i) in subsection (1)—

(a) S.I. 1978/1039 (N.I. 9). Article 48(4) was amended by S.I. 2002/3135. Article 50 was amended by S.I. 2002/3135. There are other amending instruments to Articles 2 and 50 but none is relevant.

(b) S.I. 1979/926 (N.I. 10).

(c) 1983 c. 54. Part 5A was inserted by section 119 of the Health and Social Care Act 2008 (c. 14) and amended by S.I. 2010/234.

- (aa) omit “and Schedule 6 (transitional and saving provisions)”;
- (bb) omit the words from “and in Schedule 6” to the end;
- (ii) in subsection (3), omit the words from “but the re-enactment” to the end;
- (c) in Schedule 5—
 - (i) omit paragraphs 2, 3, 5 to 8, 10, 11, 13 to 16 and 18, and the italic heading immediately before each paragraph;
 - (ii) in paragraph 17, omit sub-paragraph (a);
- (d) omit Schedule 6.

Dentists Act 1984

- 18.**—(1) The Dentists Act 1984(**a**) is amended as follows.
- (2) In section 7 (effect of grant of degree or licence in dentistry), for “Medical Act 1983” substitute “General Medical Council Order 2026 (S.I. 2026/[xxxx])”.
- (3) In section 37 (definition of practice of dentistry), for subsection (3), substitute—
- “(3) In this section, “medical authority” means a person approved under article 26(2) of the General Medical Council Order 2026 (S.I. 2026/[xxxx]) (approval of person providing education or training).”
- (4) In Schedule 5 (consequential amendments), omit paragraph 15 and the italic heading before it.
- (5) In Schedule 6 (repeals and revocations), in the table in Part 1, omit the entry relating to the Medical Act 1983.

Video Recordings Act 1984

- 19.** In section 3 of the Video Recordings Act 1984(**b**) (exempted supplies), in subsection (11), for “the Anaesthesia Associates and Physician Associates Order 2024, the Medical Act 1983,” substitute “the General Medical Council Order 2026 (S.I. 2026/[xxxx]),”.

Mental Health (Northern Ireland) Order 1986

- 20.** In Article 2 of the Mental Health (Northern Ireland) Order 1986(**c**) (interpretation), in paragraph (2), for the definition of “medical practitioner” substitute—
- ““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]),”.

Access to Medical Reports Act 1988

- 21.** In section 2 of the Access to Medical Reports Act 1988(**d**) (interpretation), in subsection (1), for the definition of “medical practitioner” substitute—
- ““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]),”.

(a) 1984 c. 24. Section 37(3) was substituted S.I. 2002/3135 and amended by S.I. 2008/1774. There are amendments to Schedule 5 but none is relevant.

(b) 1984 c. 39. Section 3 was repealed and re-enacted by section 1 of the Video Recordings Act 2010 (c. 1); subsection (11) was amended by section 39 of the Chiropractors Act 1994 (c. 17), paragraph 47(b) of Schedule 5 to the Children and Social Work Act 2017 (c. 16), S.I. 2002/254, S.I. 2002/253 and S.I. 2024/374.

(c) S.I. 1986/595 (N.I. 4). There are amendments to Article 2 but none is relevant.

(d) 1988 c. 28. There are amendments to section 2 but none is relevant.

Opticians Act 1989

22. In section 36 of the Opticians Act 1989(**a**) (interpretation), in subsection (1), for the definition of “medical authority” substitute—

““medical authority” means a person approved under article 26(2) of the General Medical Council Order 2026 (S.I. 2026/[xxxx]) (approval of person providing education or training);”.

Police and Criminal Evidence (Northern Ireland) Order 1989

23. In Article 53 of the Police and Criminal Evidence (Northern Ireland) Order 1989(**b**) (interpretation of Part 6), in paragraph (1), for the definition of “medical practitioner” substitute—

““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

Human Fertilisation and Embryology Act 1990

24. In Schedule 1 to the Human Fertilisation and Embryology Act 1990(**c**) (the Authority: supplementary provisions), in paragraph 4, in sub-paragraph (3)(a)—

- (a) for “the Medical Act 1983 (whether fully, provisionally or with limited registration)” substitute “the General Medical Council Order 2026 (S.I. 2026/[xxxx]) (with or without a restriction)”;
- (b) for “that Act” substitute “that Order”.

Courts and Legal Services Act 1990

25. In Schedule 10 to the Courts and Legal Services Act 1990(**d**) (judicial and other appointments), omit paragraph 53 and the italic heading before it.

Licensing (Northern Ireland) Order 1990

26.—(1) The Licensing (Northern Ireland) Order 1990(**e**) is amended as follows.

(2) In Article 2 (interpretation), in paragraph (2), for the definition of “doctor” substitute—

““doctor” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

(3) In Article 89 (exemptions and savings), in paragraph (c), for “registered medical practitioners” substitute “doctors”.

Medical Qualifications (Amendment) Act 1991

27. The Medical Qualifications (Amendment) Act 1991(**f**) is repealed.

(a) 1989 c. 44. Section 36 was amended by S.I. 2008/1774. There are other amendments but none is relevant.
(b) S.I. 1989/1341 (N.I. 12).
(c) 1990 c. 37.
(d) 1990 c. 41.
(e) S.I. 1990/594 (N.I. 6).
(f) 1991 c. 38.

Access to Personal Files and Medical Reports (Northern Ireland) Order 1991

28. In Article 6 of the Access to Personal Files and Medical Reports (Northern Ireland) Order 1991(**a**) (interpretation of Part III), in paragraph (1), for the definition of “medical practitioner” substitute—

““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

Medical (Professional Performance) Act 1995

29. The Medical (Professional Performance) Act 1995(**b**) is repealed.

Children (Northern Ireland) Order 1995

30. In Article 2 of the Children (Northern Ireland) Order 1995(**c**) (interpretation), in paragraph (2), for the definition of “medical practitioner” substitute—

““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

Licensing (Northern Ireland) Order 1996

31.—(1) The Licensing (Northern Ireland) Order 1996(**d**) is amended as follows.

(2) In Article 2 (interpretation), in paragraph (2), for the definition of “doctor” substitute—

““doctor” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

(3) In Article 84 (exemptions and savings), in paragraph (c), for “registered medical practitioners” substitute “doctors”.

National Health Service (Primary Care) Act 1997

32.—(1) The National Health Service (Primary Care) Act 1997(**e**) is amended as follows.

(2) Omit section 35.

(3) In Schedule 2 (minor and consequential amendments), omit paragraph 61 and the italic heading before it.

Police Act 1997

33.—(1) Schedule 8A to the Police Act 1997(**f**), as it has effect in England and Wales and in Scotland, (offences which must be disclosed unless a sheriff orders otherwise) is amended as follows.

(2) For paragraph 34 substitute—

“34 An offence under article 45 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]) (offences relating to registration).”

(a) S.I. 1991/1707 (N.I. 14). There are amendments to Article 6 but none are relevant.

(b) 1995 c. 51.

(c) S.I. 1995/755 (N.I. 2). Article 2(2) was amended by S.I. 2002/3135. There are other amendments but none is relevant.

(d) S.I. 1996/3158 (N.I. 22). There are amendments to Article 2 but none is relevant.

(e) 1997 c. 46. There are amendments to Schedule 2 but none is relevant.

(f) 1997 c. 50. Schedule 8A was inserted by S.S.I. 2015/423; paragraph 34G was inserted by S.I. 2024/374.

(3) Omit paragraph 34G.

Health Act 1999

34. In section 60A of the Health Act 1999(a), in subsection (2)(b), after “regulatory body,”, where first occurring, insert “a panel of a regulatory body,”.

Health and Personal Social Services Act (Northern Ireland) 2001

35. In the Health and Personal Social Services Act (Northern Ireland) 2001(b), omit section 53.

National Health Service Reform and Health Care Professions Act 2002

36.—(1) The National Health Service Reform and Health Care Professions Act 2002(c) is amended as follows.

(2) In section 25C (appointments to regulatory bodies), in subsection (8), for paragraph (a) substitute—

“(a) in relation to the General Medical Council, the function under paragraph 2(1) of Schedule 1 to the General Medical Council Order 2026 (S.I. 2026/[xxxx]) (appointment of members),”.

(3) In section 26 (powers and duties of the Authority: general)—

(a) in subsection (3)—

(i) in paragraph (a), after “regulatory body,” insert “a panel of a regulatory body,”;

(ii) in paragraph (b), after “committees” insert “, panels”;

(b) for subsection (4)(d) substitute—

“(d) requesting that the General Medical Council exercises the power conferred by article 66(1)(a) of the General Medical Council Order 2026 (S.I. 2026/[xxxx]) to revise a decision of a case examiner.”;

(c) in subsection (11)—

(i) after “committees” insert “, panels”;

(ii) after “a decision” insert “or an interim decision”.

(4) In section 27 (regulatory bodies and the Authority), after subsection (3) insert—

“(3A) Subsection (3) does not apply in relation to rules made by the General Medical Council under the General Medical Council Order 2026 (S.I. 2026/[xxxx]).”

(5) After section 27 insert—

(a) 1999 c. 8. Section 60A was inserted by S.I. 2008/2717 and amended by S.I. 2012/1319 and S.I. 2019/1436.

(b) 2001 c. 3 (N.I.).

(c) 2002 c. 17. Section 25C was inserted by section 227 of the Health and Social Care Act 2012 (c. 7) and amended by section 70(2) of, and paragraph 5 of Schedule 4 to, the Children and Social Work Act 2017 (c. 16). Section 26(4) was substituted by section 115 of the Health and Social Care Act 2008 (c. 14) and amended by paragraph 62(b) of Schedule 15 to the Health and Social Care Act 2012 (c. 7), and by S.I. 2024/374. Section 29 was amended by section 118 and Part 2 of Schedule 15 to the Health and Social Care Act 2008 (c. 14), paragraph 73(1) of Schedule 15 to the Health and Social Care Act 2012 (c. 7), and by S.I. 2002/3135, S.I. 2004/1771, S.I. 2005/848, S.I. 2005/2011, S.I. 2010/231, S.I. 2015/794 and S.I. 2024/374. Section 29A was inserted by S.I. 2015/794. There are amendments to Schedule 8 but none is relevant.

“27A Provision of information and documents by the General Medical Council to the Authority

- (1) The Authority may, for the purpose of discharging its functions under this Part, by notice require the General Medical Council—
 - (a) to provide information, or information of a description, specified in the notice;
 - (b) to produce documents, or documents of a description, specified in the notice.
- (2) A notice under subsection (1) may specify the manner in which, and the time within which, the information is to be provided or document is to be produced.
- (3) If the General Medical Council fails to comply with a notice under subsection (1), the Authority may apply to the court for an order requiring the General Medical Council to comply with the notice.
- (4) In this section “the court” means—
 - (a) in England and Wales and Northern Ireland, the High Court;
 - (b) in Scotland, the Court of Session.”
- (6) In section 29 (reference of disciplinary cases by Authority to court)—
 - (a) in subsection (1)—
 - (i) omit paragraphs (c) and (ca);
 - (ii) omit paragraphs (ha) to (hc);
 - (iii) after paragraph (j) insert—

“(k) any decision taken by a fitness to practise panel under any of the following provisions of the General Medical Council Order 2026 (S.I. 2026/[xxxx])—

 - (i) article 52(2) or (3) (determination of fitness to practise and imposition of registration measures);
 - (ii) article 55(3) (registration measures – review);
 - (iii) article 57(1) (imposition of an interim registration measure);
 - (iv) article 59(4) (modification of an interim registration measure).”;
 - (b) in subsection (2)—
 - (i) in paragraph (a)—
 - (aa) after “committee” insert “or panel”;
 - (bb) after “to (h)” insert “or (k)”;
 - (ii) in paragraph (c), for “to (j)” substitute “to (k)”;
 - (c) in subsection (7B), for “panel constituted under the Anaesthesia Associates and Physician Associates Order 2024” substitute “fitness to practise panel convened in accordance with paragraph 19 of Schedule 1 to the General Medical Council Order 2026 (S.I. 2026/[xxxx])”;
 - (d) in subsection (8), in paragraph (d), omit the words from “or, in the case” to the end of that paragraph;
 - (e) omit subsections (9) and (10).
- (7) Omit section 29A (references under section 29: role of the General Medical Council).
- (8) Omit section 30 (medical practitioners).

(9) In Schedule 8 (minor and consequential amendments), omit paragraphs 13 to 15 and the italic heading before paragraph 13.

(10) In Schedule 9 (repeals), in the table in Part 2, omit the entries relating to the Medical Act 1983.

University of St. Andrews (Postgraduate Medical Degrees) Act 2002

37. In section 1 of the University of St. Andrews (Postgraduate Medical Degrees) Act 2002^(a) (power to grant postgraduate research degrees in medicine), for subsection (2) substitute—

“(2) This section applies to a person—

- (a) who is a registered medical practitioner, or
- (b) who holds a qualification approved under article 26 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]) by which the person satisfies the standards of education and training relevant to being registered as a registered medical practitioner.”

Income Tax (Earnings and Pensions) Act 2003

38. In section 343 of the Income Tax (Earnings and Pensions) Act 2003^(b) (deduction for professional membership fees), in the table in subsection (2)—

(a) in paragraph 1—

(i) for paragraph (h) substitute—

“(h) the register maintained by the General Medical Council,”;

(ii) omit paragraph (t);

(b) in paragraph 1A, for “certificate of completion of training under section 34L of the Medical Act 1983” substitute “certificate issued under article 28 of the General Medical Council Order 2026 (S.I. 2026/[xxxx])”.

Health and Social Care (Community Health and Standards) Act 2003

39.—(1) The Health and Social Care (Community Health and Standards) Act 2003^(c) is amended as follows.

(2) In Schedule 11 (Part 4: minor and consequential amendments), omit paragraphs 47 to 49 and the italic heading before paragraph 47.

(3) In Schedule 12 (Privy Council appointments), omit paragraph 2 and the italic heading before it.

(4) In Schedule 14 (repeals and revocations), in the table in Part 4 (dental and medical services), omit the entries for the Medical Act 1983.

Marriage (Northern Ireland) Order 2003

40. In Article 2 of the Marriage (Northern Ireland) Order 2003^(d) (interpretation), in paragraph (2), for the definition of “medical practitioner” substitute—

^(a) 2002 asp 15.

^(b) 2003 c. 1. Relevant amendments are made by S.I. 2013/1126 and S.I. 2024/374.

^(c) 2003 c. 43. There are amendments to Schedules 11 and 12 but none is relevant.

^(d) S.I. 2003/413 (N.I. 3). There are amendments to Article 2 but none is relevant.

““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

Constitutional Reform Act 2005

41. In Part 3 of Schedule 11 to the Constitutional Reform Act 2005(**a**) (miscellaneous amendments: Supreme Court of Judicature of Northern Ireland), in paragraph 6(3) omit “the Medical Act 1983 (c. 54)”.

Government of Wales Act 2006

42. In Part 2 of Schedule 7A to the Government of Wales Act 2006(**b**) (specific reservations), in section G1, in paragraph (a) of the definition of “Health professions”—

(a) omit “the Medical Act 1983;”;

(b) at the end insert—

“the General Medical Council Order 2026 (S.I. 2026/[xxxx]);”.

National Health Service (Consequential Provisions) Act 2006

43. In Schedule 1 to the National Health Service (Consequential Provisions) Act 2006(**c**) (consequential amendments), omit paragraphs 75 to 77 and the italic heading before paragraph 75.

Safeguarding Vulnerable Groups Act 2006

44.—(1) The Safeguarding Vulnerable Groups Act 2006(**d**) is amended as follows.

(2) In section 41 (registers: power to refer), in subsection (7)—

(a) for the third row in the table substitute—

“3. The register established under article 32 of the	The General Medical Council”;
General Medical Council Order 2026 (S.I. 2026/[xxxx])	

(b) omit the twelfth row in the table.

(3) In Schedule 3 (barred lists), in paragraph 16, for sub-paragraph (4A) substitute—

“(4A) The reference in sub-paragraph (4) to a committee is—

(a) in respect of Social Care Wales, a reference to a panel established under Part 8 of the Regulation and Inspection of Social Care (Wales) Act 2016;

(a) 2005 c. 4. There are amendments to Schedule 11 but none is relevant.

(b) 2006 c. 32. Schedule 7A was inserted by paragraph 1 of Schedule 1 to the Wales Act 2017 (c. 4). There are amendments to Schedule 7A but none is relevant.

(c) 2006 c. 43. There are amendments to Schedule 1 but none is relevant.

(d) 2006 c. 47. Section 41(7) was amended by paragraph 27(2) of Schedule 2 to the Education Act 2011 (c. 21), paragraph 52 of Schedule 15 to the Health and Social Care Act 2012 (c. 7), paragraph 64 of Schedule 9 to the Protection of Freedoms Act 2012 (c. 9), paragraph 54 of Schedule 3 to the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), paragraphs 34 and 47(1) of Schedule 5 to the Children and Social Work Act 2017 (c. 16), S.I. 2010/231 and S.I. 2024/374. Paragraph 16(4) of Schedule 3 was amended by paragraph 24(4) of Schedule 2 to the Education Act 2011 (c. 21), paragraph 56(e) of Schedule 15 to the Health and Social Care Act 2012 (c. 7), paragraph 55(a) of Schedule 3 to the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) and paragraph 35 of Schedule 5 to the Children and Social Work Act 2017 (c. 16). Paragraph 16(4A) was inserted by paragraph 55(b) of Schedule 3 to the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2).

- (b) in respect of the General Medical Council, a reference to a panel convened in accordance with paragraph 19 of Schedule 1 to the General Medical Council Order 2026 (S.I. 2026/[xxxx]).”

Adult Support and Protection (Scotland) Act 2007

45. In section 53 of the Adult Support and Protection (Scotland) Act 2007(**a**) (interpretation of Part 1), in subsection (1), for the definition of “doctor” substitute—

““doctor” means a registered medical practitioner.”.

Protection of Vulnerable Groups (Scotland) Act 2007

46.—(1) The Protection of Vulnerable Groups (Scotland) Act 2007(**b**) is amended as follows.

(2) In section 17 (information relevant to listing decisions), after subsection (5) insert—

“(5A) The reference in subsection (5)(c) to a committee is, in respect of the General Medical Council, a reference to a panel convened in accordance with paragraph 19 of Schedule 1 to the General Medical Council Order 2026 (S.I. 2026/[xxxx]).”

(3) In Schedule 2 (regulated roles with children), in paragraph 13A, for the words from “an anaesthesia associate” to the end substitute “a physician assistant or a physician assistant in anaesthesia registered in accordance with Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx])”.

(4) In Schedule 3 (regulated roles with adults), in paragraph 6A, for the words from “an anaesthesia associate” to the end substitute “a physician assistant or a physician assistant in anaesthesia registered in accordance with Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx])”.

Safeguarding Vulnerable Groups (Northern Ireland) Order 2007

47. In Article 43 of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007(**c**) (registers: power to refer), in paragraph (7)—

(a) for the third row of the table substitute—

“3. The register established under article 32 of the	The General Medical Council”;
General Medical Council Order 2026 (S.I. 2026/[xxxx])	

(b) omit the eleventh row of the table.

Criminal Justice (Northern Ireland) Order 2008

48. In Schedule 4 to the Criminal Justice (Northern Ireland) Order 2008(**d**) (the Parole Commissioners), in paragraph 1(3), for the definition of “registered medical practitioner” substitute—

““registered medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]).”

(a) 2007 asp 10.

(b) 2007 asp 14. There are amendments to section 17 but none is relevant. Paragraph 13A of Schedule 2 and paragraph 6A of Schedule 3 were inserted by S.S.I. 2025/76.

(c) S.I. 2007/1351 (N.I. 11). Article 43(7) was amended by S.R. 2010/30 and S.I. 2024/374). There are other amendments but none is relevant.

(d) S.I. 2008/1216 (N.I. 1).

Health Act 2009

49. In section 36 of the Health Act 2009(**a**) (disclosure of information by Her Majesty's Revenue and Customs), in subsection (5), for the definition of “general medical practitioner” substitute—

““general medical practitioner” means a registered medical practitioner whose registration under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]) benefits from an enhancement under that Part relating to general practice.”

Policing and Crime Act 2009

50. In section 81 of the Policing and Crime Act 2009(**b**) (renaming of Independent Barring Board), in subsection (3), omit paragraph (c).

Scottish Parliamentary Pensions Act 2009

51. In Schedule 1 to the Scottish Parliamentary Pensions Act 2009(**c**) (Scottish Parliamentary Pension Scheme), in paragraph 109(1), for the definition of “doctor” substitute—

““doctor” means a registered medical practitioner.”.

Interpretation and Legislative Reform (Scotland) Act 2010

52. In Schedule 1 to the Interpretation and Legislative Reform (Scotland) Act 2010(**d**) (definitions of words and expressions), for the definition of “registered medical practitioner” substitute—

““registered medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]), other than one whose registration is subject to a restriction under that Part in relation to all areas of medical practice.”.

Sunbeds Act (Northern Ireland) 2011

53. In section 10 of the Sunbeds Act (Northern Ireland) 2011(**e**) (exemption for medical treatment), in subsection (3), for the definition of “registered medical practitioner” substitute—

““registered medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]), other than one whose registration is subject to a restriction under that Part in relation to all areas of medical practice.”

Health and Social Care Act 2012

54. In section 269 of the Health and Social Care Act 2012(**f**) (power to confer functions in relation to identification of GPs), for subsection (2) substitute—

“(2) In subsection (1), “general medical practitioner” means a registered medical practitioner whose registration under Part 6 of the General Medical Council Order

(a) 2009 c. 21. There are amendments to section 36 but none is relevant.
(b) 2009 c. 26. There are amendments to section 81 but none is relevant.
(c) 2009 asp 1. There are amendments to Schedule 1 but none is relevant.
(d) 2010 asp 10. There are amendments to Schedule 1 but none is relevant.
(e) 2011 c. 19 (N.I.).
(f) 2012 c. 7. There are amendments to section 269 but none is relevant.

2026 (S.I. 2026/[xxxx]) benefits from an enhancement under that Part relating to general practice.”

Crime and Courts Act 2013

55. In Schedule 9 to the Crime and Courts Act 2013(**a**) (single county court in England and Wales), omit paragraph 110.

Mental Capacity Act (Northern Ireland) 2016

56. In section 306 of the Mental Capacity Act (Northern Ireland) 2016(**b**) (definitions for purposes of Act), in subsection (1), for the definition of “medical practitioner” substitute—

““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]), other than one whose registration is subject to a restriction under that Part in relation to all areas of medical practice;”.

Justice Act (Northern Ireland) 2016

57. In section 23 of the Justice Act (Northern Ireland) 2016(**c**) (vehicle seizure order), in subsection (6), for the definition of “medical practitioner” substitute—

““medical practitioner” means a person registered as a medical practitioner under Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]), other than one whose registration is subject to a restriction under that Part in relation to all areas of medical practice.”

Data Protection Act 2018

58.—(1) The Data Protection Act 2018(**d**) is amended as follows.

(2) In section 204 (meaning of “health professional” and “social work professional”)—

(a) in subsection (1), for paragraph (l) substitute—

“(l) a physician assistant or a physician assistant in anaesthesia registered in accordance with Part 6 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]).”;

(b) omit subsection (3).

(3) In Schedule 19 (minor and consequential amendments), omit paragraphs 19 to 26 and the italic heading before paragraph 19.

Disclosure (Scotland) Act 2020

59. In Schedule 1 to the Disclosure (Scotland) Act 2020(**e**) (List A offences)—

(a) omit paragraphs 45 and 46A;

(b) before the italic cross-heading to paragraph 47 insert—

(a) 2013 c. 22. There are amendments to Schedule 9 but none is relevant.

(b) 2016 c. 18 (N.I.).

(c) 2016 c. 21 (N.I.).

(d) 2018 c. 12; section 204(1) was amended by sub-paragraph 227(2) of Schedule 19 to the Data Protection Act 2018 (c. 12) and paragraph 7 of Schedule 5 to the Anaesthesia Associates and Physician Associates Order 2024 (S.I. 2024/374).

(e) 2020 asp 13. Paragraph 46A was inserted by S.S.I. 2025/75.

“46B An offence under article 45 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]) (offences relating to registration).”

Domestic Abuse Act 2021

60. In section 80 of the Domestic Abuse Act 2021(**a**) (prohibition on charging for the provision of medical evidence of domestic abuse), in subsection (4), for paragraph (a) substitute—

“(a) a registered medical practitioner;”.

Medical Training (Prioritisation) Act 2026

61.—(1) The Medical Training (Prioritisation) Act 2026(**b**) is amended as follows.

(2) In section 4 (“UK medical graduate” and “the priority group”)—

(a) in subsection (1), omit “within the meaning of the Medical Act 1983 (see section 4(3) of that Act)”;

(b) after that subsection insert—

“(1A) In subsection (1), “primary United Kingdom qualification” means the degree of bachelor of medicine or bachelor of surgery granted in the United Kingdom by a person approved under paragraph (2) of article 26 of the General Medical Council Order 2026 (S.I. 2026/[xxxx]).”;

(c) in subsection (5), for the words from “is treated” to the end substitute “is determined by the General Medical Council under article 26(3)(b)(iii) of the General Medical Council Order 2026 (S.I. 2026/[xxxx]) to be of a standard appropriate to practising as a medical practitioner in the United Kingdom.”;

(d) after that subsection insert—

“(5A) In subsection (5), “medical practitioner” does not include a physician assistant or a physician assistant in anaesthesia.”

(3) In section 5 (“UK Foundation Programme”, “UK specialty training programme” etc)—

(a) for subsection (2) substitute—

“(2) “UK Foundation Programme” means a foundation programme within the meaning of article 37(8) of the General Medical Council Order 2026 (S.I. 2026/[xxxx]) (registration restrictions and enhancements) which is delivered in the United Kingdom.”;

(b) omit subsection (3);

(c) in subsection (4), for “section 34L of the Medical Act 1983” substitute “article 28 of the General Medical Council Order 2026”.

(a) 2021 c. 17.

(b) 2026 c. 7.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the regulation by the General Medical Council of the following medical professions:

- medical practitioners;
- physician assistants;
- physician assistants in anaesthesia.

In this Order:

- Part 1 provides for citation, commencement and extent;
- Part 2 makes provision for the continuing establishment and for the constitution of the General Medical Council, and sets out its objective and the principle it is to apply in exercising its regulatory functions;
- Part 3 sets out incidental powers and duties for the General Medical Council;
- Part 4 makes financial provision and provision for the rendering of accounts;
- Part 5 makes provision in connection with education and training, in particular for setting standards and the approval of education and training;
- Part 6 makes provision for registration as a medical professional regulated under the Order;
- Part 7 makes provision in connection with the assessment of fitness to practise, and provides for measures which may be taken should the fitness to practise of a regulated medical professional be impaired;
- Part 8 makes further provision relating to registration and fitness to practise, in particular for the imposition of interim registration measures whilst determinations of fitness to practise are ongoing;
- Part 9 makes provision for revising registration and fitness to practise decisions, and for appealing those decisions: (a) internally, to an appeal panel, or (b) externally, to the county court (for review) or to the High Court (for a rehearing);
- Part 10 makes supplemental provision, dealing with the procedure applicable to making subordinate legislation under the Order, and makes provision relating to interpretation.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.