

2012 No. 2686 (C. 109)

HEALTH CARE AND ASSOCIATED PROFESSIONS

DOCTORS

**The Medical Profession (Miscellaneous Amendments) Order
2008 (Commencement No. 4) Order of Council 2012**

Made - - - - *20th October 2012*

At the Council Chamber, Whitehall, the 20th day of October 2012

By the Lords of Her Majesty's Most Honourable Privy Council

Their Lordships make the following Order of Council in exercise of the powers conferred by article 1(4) of the Medical Profession (Miscellaneous Amendments) Order 2008(a):

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Medical Profession (Miscellaneous Amendments) Order 2008 (Commencement No. 4) Order of Council 2012.

(2) In this Order, “the Order” means the Medical Profession (Miscellaneous Amendments) Order 2008 and “the Act” means the Medical Act 1983(b).

(3) The provisions of the Order set out in article 2 shall come into force on 3rd of December 2012 immediately after the commencement of—

- (a) article 10 of the Medical Act 1983 (Amendment) Order 2002(c) (licence to practise and revalidation) in so far as it relates to sections 29A(4)(d) (regulations as to licence to practise and revalidation) and 29C (dealing with questions as to impairment of fitness to practise); and
- (b) article 65 (and article 2 in so far as it relates to article 65) of the Medical Act 1983 (Amendment) and Miscellaneous Amendments Order 2006(d).

2. The provisions of the Order which come into force in accordance with article 1(3) are—

- (a) the following paragraphs of Part 2 of Schedule 1—
 - (i) paragraph 8(2);
 - (ii) paragraph 8(1) in so far as it relates to the provisions commenced by sub-paragraph (i);
 - (iii) paragraph 10;

(a) S.I. 2008/3131.

(b) 1983 c. 54. Relevant amendments were made by SI 2002/3135, 2006/1914 and 2008/3131.

(c) S.I. 2002/3135.

(d) S.I. 2006/1914.

- (iv) paragraph 13 in so far as it inserts section 29EA(1)(b)(i) (disclosure of information for revalidation);
- (v) paragraph 18; and
- (b) article 3(2) in so far as it relates to the provisions of the Order mentioned in paragraph (a) of this article.

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order commences certain provisions of the Medical Profession (Miscellaneous Amendments) Order 2008 (“the 2008 Order”) which are to come into force in accordance with article 1(3). These provisions amend provisions made to the Medical Act 1983 (“the Act”) by the Medical Act 1983 (Amendment) Order 2002 (S.I. 2002/3135) and relate to the revalidation of a medical practitioner. This Commencement Order commences in particular, the following paragraphs of Schedule 1, Part 2 of the 2008 Order—

- (a) paragraph 8(2) which relates to the revalidation matters which must be addressed by regulations made under section 29A of the Act;
- (b) paragraph 10 which substitutes a new section 29C to deal with fitness to practise issues which arise in the course of revalidation; and
- (c) paragraph 13 in so far as it inserts section 29EA(1)(b)(i) which relates to the disclosure of information obtained by a licensing authority about a medical practitioner in the course of revalidation where revalidation ceases before a decision is made on that medical practitioner’s licence to practise.

Other provisions in relation to the revalidation of medical practitioners were made to the Act by S.I. 2002/3135 and 2006/1914. Information about the commencement of provisions of this Order may be obtained from the Department of Health at Quarry House, Quarry Hill, Leeds LS2 7UE.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 2008 Order have been brought into force by commencement orders made before the date of this Order

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Article 1	11th December 2008	2008/3131
Article 2	1st January 2009	2008/3131
Article 3(1)	1st January 2009	2008/3131
Article 3(2) in so far as it relates to the provisions of Schedule 1, Part 2 listed below	9th September 2009	2009/2200 (C. 95)
Article 4	16th March 2009	2009/280 (C. 13)
Article 5	11th December 2008	2008/3131
Article 6	11th December 2008	2008/3131
Schedule 1, Part 2, paragraphs numbered as follows: 11; 15; 16(2) (partially); 16(3); 16(1) partially)	9th September 2009	2009/2200 (C. 95) and

Paragraphs 13 (partially) and 17
Schedule 1 (partially)
Schedule 2

30th April 2010
16th March 2009

2010/3131 (C. 1182)
2009/280 (C. 13)

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STATUTORY INSTRUMENTS

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The Medical Profession (Miscellaneous Amendments) Order
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£4.00

E4812 10/2012 124812T 19585

ISBN 978-0-11-153011-5



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