Draft Order in Council laid before Parliament under section 62(9) of the Health Act 1999, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2008 No. 000

HEALTH CARE AND ASSOCIATED PROFESSIONS

The Medical Profession (Miscellaneous Amendments) Order 2008

Made - - - - 2008

Coming into force in accordance with article 1(2) to (4)

At the Court at Buckingham Palace, the day of 2008

Present,

The Queen's Most Excellent Majesty in Council

This Order in Council is made in exercise of the powers conferred by sections 60 and 62(4) of, and Schedule 3 to, the Health Act 1999(**a**).

The Secretary of State published a draft Order and invited representations as required by paragraph 9(1) of Schedule 3 to that Act.

The period of three months mentioned in paragraph 9(2) of that Schedule expired before a draft of this Order in Council was laid before Parliament.

A draft of this Order in Council has been approved by resolution of each House of Parliament, in accordance with section 62(9) of that Act.

Accordingly, Her Majesty is pleased, by and with the advice of Her Privy Council, to make the following Order in Council:

(**a**) 1999 c.8. Section 60 was amended by section 26(9) of the National Health Service Reform and Health Care Professions Act 2002 (c.17) ("the 2002 Act") and by S.I. 2002/253 and 2002/254. Section 62(4) was amended by paragraph 197 of Schedule 1 to the National Health Service (Consequential Provisions) Act 2006 (c.43) and Schedule 4 to that Act. Schedule 3 was amended by section 26(10) of the 2002 Act, paragraph 67 of Schedule 11 to the Health and Social Care (Community Health and Standards) Act 2003 (c.43) ("the 2003 Act"), Part 4 of Schedule 14 to the 2003 Act and section 33 of the Health Act 2006 (c.28), paragraphs 5(4) and 8(a) of Schedule 8 to the Health and Social Care Act 2008 (c.41) ("the 2008 Act"), and by S.I. 2002/254. Further amendments to sections 60 and 62(4) of, and Schedule 3 to, the Health Act 1999 are contained in Schedules 8 and 10 to the 2008 Act but these had not been commenced when this Order was made.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Medical Profession (Miscellaneous Amendments) Order 2008.

(2) This article and articles 5 and 6 come into force on the day after the day on which this Order is made.

(3) Articles 2 and 3(1), and Part 1 of Schedule 1, come into force on 1st January 2009.

(4) Except as provided by paragraphs (2) and (3), this Order comes into force on such day as the Privy Council may by order appoint.

(5) Different days may be appointed by an order under paragraph (4) for different provisions or different purposes.

(6) In this Order—

"the 1983 Act" means the Medical Act 1983(**a**);

"the 2003 Order" means the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003(**b**); and

"the General Council" means the General Medical Council**.**

Transfer of medical education functions to the General Council

2.—(1) The statutory committees of the General Council shall cease to include the committee known as the Education Committee.

(2) With effect from the date on which this article comes into force—

(a) all medical education functions shall be exercisable by the General Council; and

(b) any determination made or other thing done by the Education Committee before that date shall be treated as if it had been made or done by the General Council.

(3) In this article—

"medical education functions" means all the functions under the 1983 Act which immediately before the date on which this article comes into force were exercisable by the Education Committee of the General Council; and

"the statutory committees", in relation to the General Council, means the committees which the Council must have under section 1 of the 1983 Act (the General Medical Council).

Amendments to the 1983 Act

3.—(1) Part 1 of Schedule 1 to this Order makes amendments to the 1983 Act relating to medical education, including amendments consequential on article 2.

(2) Part 2 of Schedule 1 to this Order further amends the 1983 Act in connection with licences to practise and revalidation of medical practitioners.

Amendments to the 2003 Order

4. Schedule 2 to this Order amends the 2003 Order to provide that certain persons who were consultants immediately before 1st January 1997 may, in accordance with a scheme to be published by the General Council, be entered on the Specialist Register.

Transitional, transitory or saving provisions orders

5.—(1) In connection with the commencement of any provision of this Order, the Privy Council may by order make such transitional, transitory or saving provisions as it considers appropriate.

(**a**) 1983 c.54.
(**b**) S.I. 2003/1250.

(2) The power to make an order under paragraph (1) may be exercised—

(a) so as to make different provision—

(i) with respect to different cases or different classes of cases, or

(ii) in respect of the same case or class of case for different purposes;

(b) in relation to all cases to which the power extends or in relation to all those cases subject to specified exceptions; or

(c) so as to make any supplementary, incidental or consequential provisions which the Privy Council considers necessary or expedient.

Privy Council procedures etc.

6.—(1) The power of the Privy Council to make an order under article 1(4) or 5(1) may be exercised by any two or more members of the Privy Council.

(2) The making of an order under article 1(4) or 5(1) shall be sufficiently signified by an instrument signed by the Clerk of the Privy Council.

(3) The power to make an order under article 1(4) or 5(1) shall be exercisable by statutory instrument.

(4) For the purposes of section 1 of the Statutory Instruments Act 1946(**a**) (definition of "Statutory Instrument"), any power to which paragraph (3) applies is to be taken to be conferred by an Act of Parliament.

(5) Where an order of the Privy Council under this Order is signified by an instrument purporting to be signed by the Clerk of the Privy Council, that shall be evidence, and in Scotland sufficient evidence, of—

(a) the fact that the order was duly made; and

(b) the order's terms.

Name
Clerk of the Privy Council

SCHEDULE 1

Article 3

Amendments to the Medical Act 1983

PART 1

Transfer of medical education functions to the General Medical Council

Amendment of section 1

1. In section 1(**b**) (the General Medical Council)—

(a) in subsection (3), omit paragraph (a); and

(b) in subsection (3A), for "paragraphs (a), (c), (d) and (e)" substitute "paragraphs (c), (d) and (e)".

(**a**) 1946 c.36. Section 1 was amended by paragraph 2 of Schedule 12 to the Government of Wales Act 1998 (c.38).

(**b**) Section 1(3) and (3A) of the Medical Act 1983 (c.54) are as substituted by S.I. 2002/3135 and amended by paragraph 2 of Schedule 7 to the Health and Social Care Act 2008. Subsection (3) was also amended by S.I. 2006/1914.

Amendment of section 10A

2.—(1) Amend section 10A(**a**) (programmes for provisionally registered doctors) as follows.

(2) In subsection (1), for "the Education Committee" substitute "the General Council".

(3) In subsection (2)—

(a) for "the Education Committee" substitute "the General Council"; and

(b) in paragraph (a), omit the words ", subject to any provision made in an order under subsection (3)".

(4) Omit subsection (3).

(5) In subsection (4), for "the Education Committee" substitute "the General Council".

(6) Omit subsection (6).

(7) In subsection (7), for "the Education Committee" (in both places) substitute "the General Council".

(8) In subsection (8), for "the Education Committee" substitute "the General Council".

Amendment of section 50

3.—(1) Amend section 50(**b**) (default powers of the Privy Council) as follows.

(2) In subsection (1)—

(a) in paragraph (a), for "the Education Committee" substitute "the General Council";

(b) in paragraph (b), for "the General Council or the Education Committee" substitute "the General Council"; and

(c) in the words following paragraph (b) omit "or that Committee as the case requires".

(3) Omit subsection (3).

Amendment of section 51

4. In section 51(**c**) (exercise of powers to make Orders in Council and other orders), in subsection (3)(b), omit "10A(3) or".

Amendment of Schedule 1

5.—(1) Amend Schedule 1(**d**) as follows.

(2) In paragraph 15(3), omit "other than the Education Committee".

(3) Omit paragraph 19 (composition of the Education Committee) and the heading immediately before it.

(4) In paragraph 25(3), omit the words from "but the determination of the remuneration" to the end.

Repeal of paragraph 14 of Schedule 6

6. Omit paragraph 14 of Schedule 6 (transitional and saving provisions).

(**a**) Section 10A was inserted by S.I. 2006/1914 and amended by S.I. 2007/3101.
(**b**) Section 50 was amended by S.I. 2002/3135 and 2006/1914.
(**c**) Section 51(3) was substituted by S.I. 2006/1914 and amended by S.I. 2008/1774.
(**d**) Paragraph 15(3) was amended by S.I. 2006/1914 and 2008/1774. Paragraph 19 is as substituted by S.I. 2002/3135. Paragraph 25(3) was amended by S.I. 2006/1914.

Substitution of references to the Education Committee

7.—(1) This paragraph applies to any provision of the 1983 Act (apart from those amended by paragraphs 1 to 6) which contains a reference to "the Education Committee", and including the heading to any section of that Act.

(2) For each reference to "the Education Committee" substitute "the General Council".

(3) Where the provision also contains a reference to the Education Committee as "the Committee", for the words "the Committee" substitute "the General Council".

PART 2

Licence to practise and revalidation

Amendment of section 29A

8.—(1) Amend section 29A(**a**) (regulations as to licence to practise and revalidation) as follows.

(2) In subsection (4), (regulations as to licence to practise and revalidation), for paragraph (d) substitute—

"(d) revalidation of a medical practitioner of a prescribed description whenever a licensing authority sees fit to do so, either as a condition of the practitioner's continuing to hold a licence to practise or of the practitioner's licence to practise being restored.".

(3) In subsection (5)—

(a) before the definition of "licensing authority" insert—

""General Practitioner Register" means the register maintained by the General Council pursuant to article 10(1) of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003(**b**);";

(b) omit "and" at the end of the definition of "prescribed";

(c) after the definition of "prescribed" insert—

""restore", in relation to an entry in the General Practitioner Register or the Specialist Register that has been amended, means reinstate the entry without the amendment;"; and

(d) after the definition of "revalidation" insert—

"; and

"Specialist Register" means the register maintained by the General Council pursuant to article 13(1) of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003.".

Amendment of section 29B

9.—(1) Amend section 29B (grant, refusal and withdrawal of licence) as follows.

(2) After subsection (2) insert—

"(2A) Regulations under section 29A above may provide that—

(a) where there is an entry in the General Practitioner Register or the Specialist Register in respect of a medical practitioner (whether of the practitioner's name, any specialist area or other information), the entry may be removed or amended in prescribed circumstances; and

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(**a**) Part 3A of the Medical Act 1983 (c.54) is comprised of sections 29A to 29J. Part 3A was inserted by S.I. 2002/3135. Section 29A(4) was amended by S.I 2006/1914.

(**b**) S.I. 2003/1250.

(b) where such an entry has been removed or amended, it may be restored to the General Practitioner Register or the Specialist Register in prescribed circumstances.

(2B) Regulations under section 29A above may include provision for a licensing authority to take account of any report or recommendation concerning a medical practitioner which is provided to the licensing authority by a prescribed person or body in the circumstances specified in subsection (2C) below.

(2C) Those circumstances are that—

(a) regulations under section 29A above—

(i) make provision by virtue of section 29J(2B) below specifying requirements to be satisfied by medical practitioners (or medical practitioners of a prescribed description), and

(ii) make provision by virtue of section 29J(2C)(a) below for a prescribed person or body to carry out revalidation of such practitioners; and

(b) the medical practitioner is a person to whom those requirements apply.".

(3) After subsection (3) insert—

"(3A) Regulations under section 29A above may make provision as to the procedure to be followed in connection with—

(a) the removal or amendment under regulations by virtue of subsection (2A) above of an entry appearing in the General Practitioner Register or the Specialist Register in respect of a medical practitioner; or

(b) in any case where, under such regulations, an entry in respect of a medical practitioner has been removed from the General Practitioner Register or the Specialist Register or has been amended—

(i) the restoration of the entry, or

(ii) the refusal to restore the entry.".

(4) For subsection (4) substitute—

"(4) If a licensing authority decides—

(a) to refuse to grant a licence to practise to a medical practitioner;

(b) to withdraw a licence to practise from a medical practitioner;

(c) to remove an entry in respect of a medical practitioner from the General Practitioner Register or the Specialist Register or to amend an entry in respect of a medical practitioner in either of those Registers; or

(d) to refuse to restore an entry in respect of a medical practitioner to the General Practitioner Register or the Specialist Register,

the Registrar shall give the practitioner notice in accordance with subsection (5) below.".

Amendment of section 29C

10. For section 29C substitute—

"**Dealing with questions as to impairment of fitness to practise**

29C.—(1) Paragraph (2) applies if—

(a) in the course of revalidation, it comes to the attention of a licensing authority that a medical practitioner's fitness to practise is called into question by one or more of the matters mentioned in section 35C(2) below; but

(b) no allegation to that effect has been made to the General Council against the practitioner.

(2) The Registrar shall notify the practitioner and section 35C below shall apply as if an allegation that the practitioner's fitness to practise is impaired had been made to the General Council under that section.".

Amendment of section 29D

11. After section 29D(1) (restoration of licence) insert—

"(1A) Regulations by virtue of subsection (1) above may not include provision as to licences to practise that are withdrawn by virtue of section 41C below.".

Amendment of section 29E

12.—(1) Amend section 29E (evidence) as follows.

(2) In subsection (1)—

(a) omit "or" at the end of paragraph (b); and

(b) after paragraph (c) insert—

"(d) to remove an entry in respect of a medical practitioner from the General Practitioner Register or the Specialist Register or to amend an entry in respect of a medical practitioner in either of those Registers; or

(e) to refuse to restore an entry in respect of a medical practitioner to the General Practitioner Register or the Specialist Register,".

(3) In subsection (2)—

(a) omit "and" at the end of paragraph (c); and

(b) after paragraph (d) insert—

"(e) determining under regulations by virtue of section 29B(2A) above whether to remove or amend an entry appearing in the General Practitioner Register or the Specialist Register in respect of the practitioner; or

(f) in any case where such an entry has been removed from the General Practitioner Register or the Specialist Register or has been amended, determining under such regulations whether to restore the entry.".

New section 29EA

13. After section 29E insert—

"Disclosure by a licensing authority of information relating to revalidation

29EA.—(1) This section applies where—

(a) a medical practitioner participates in a revalidation pilot scheme and the medical practitioner's revalidation under the scheme ceases before evaluation of the practitioner's fitness to practise is complete; or

(b) a medical practitioner's revalidation under this Part ceases before any decision is made as to—

(i) the practitioner holding, or continuing to hold, a licence to practise; or

(ii) the making of any change to the General Practitioner Register or the Specialist Register in respect of the practitioner.

(2) If the licensing authority considers it to be in the public interest to do so, the licensing authority may disclose any relevant information about the medical practitioner to—

(a) the Secretary of State, the Scottish Ministers, the Department of Health, Social Services and Public Safety in Northern Ireland or the Welsh Ministers; and

(b) any person of whom the licensing authority is aware—

(i) by whom the practitioner is employed to provide services in, or in relation to, any area of medicine, or

(ii) with whom the practitioner has an arrangement to provide such services.

(3) In this section—

"relevant information", in relation to a medical practitioner, means information arising in the course of or otherwise in connection with such revalidation of the practitioner as is mentioned in subsection (1)(a) or (b); and

"revalidation pilot scheme" means any voluntary pilot scheme for the purpose of determining when and how revalidation under this Part will operate (whether in relation to all medical practitioners or medical practitioners of any description).".

Amendment of section 29F

14.—(1) Amend section 29F (appeals) as follows.

(2) Omit "or" at the end of subsection (1)(b).

(3) After subsection (1)(c) insert—

"(d) to remove an entry in respect of a medical practitioner from the General Practitioner Register or the Specialist Register or to amend an entry in respect of a medical practitioner in either of those Registers; or

(e) to refuse to restore an entry in respect of a medical practitioner to the General Practitioner Register or the Specialist Register,".

(4) In subsection (3) for "to withdraw a licence to practise from a medical practitioner" substitute "to take in relation to a medical practitioner any of the steps mentioned in subsection (1)(b) or (d) above".

Amendment of section 29G

15.—(1) Amend section 29G (guidance) as follows.

(2) In subsection (1), before paragraph (a) insert—

"(za) for securing the grant of a licence to practise;".

(3) After subsection (1) insert—

"(1A) The information and documents to be provided, and other requirements to be satisfied, may relate to—

(a) standards set by a prescribed person or body; or

(b) documents issued by a prescribed person or body.".

(4) In subsection (2), for "In preparing any such guidance" substitute "In preparing any guidance under subsection (1)(a)".

Amendment of section 29J

16.—(1) Amend section 29J (miscellaneous) as follows.

(2) For subsection (2) substitute—

"(2) Any sum payable by a medical practitioner under subsection (1) above—

(a) may be recovered by the General Council; or

(b) where regulations by virtue of subsection (2B) below are in force, may instead be recovered by a prescribed person or body in such cases or circumstances, and to such extent, as may be prescribed.

(2A) In England and Wales or Northern Ireland, any such sum shall be recoverable summarily as a civil debt.

(2B) Regulations under section 29A above may specify requirements to be satisfied by medical practitioners (or medical practitioners of a prescribed description) by reference to standards which are—

(a) set by a prescribed person or body ("C"); and

(b) endorsed by the General Council.

(2C) If regulations under section 29A above make provision by virtue of subsection (2B), they may also—

(a) provide for C to carry out revalidation of any medical practitioner to whom the regulations apply;

(b) require a medical practitioner or any other person (including another medical practitioner) to provide any evidence, information or document which C may reasonably request for or in connection with revalidation of a medical practitioner;

(c) provide for the powers of a licensing authority in section 29E(1)(a) to (e) above to be exercisable in relation to a medical practitioner in connection with any refusal or failure by the practitioner to provide C with such information;

(d) make provision equivalent to section 29E(5) to (9) above as to the disclosure of such information to C (with appropriate modifications);

(e) provide for C to make reports and recommendations to the licensing authority about a medical practitioner in connection with revalidation by C; and

(f) make other provision as to the procedure to be followed for or in connection with revalidation by C.

(2D) Nothing in subsection (2C) permits regulations to be made giving C power to make any decision as to—

(a) a medical practitioner holding, or continuing to hold, a licence to practise; or

(b) the making of any change to the General Practitioner Register or the Specialist Register in respect of a medical practitioner.".

(3) At the end of subsection (3) insert "or different areas".

Amendment of section 35C

17.—(1) Amend section 35C (functions of the Investigation Committee) as follows.

(2) For subsection (3) substitute—

"(3) This section is not prevented from applying because—

(a) the allegation is based on a matter that is alleged to have occurred—

(i) outside the United Kingdom, or

(ii) at a time when the person was not registered; or

(b) in relation to a person who is a participant in a revalidation pilot scheme, the allegation is based on information obtained in the course of or otherwise in connection with the person's revalidation under that scheme.".

(3) In subsection (9)—

(a) omit "and" at the end of the definition of "enactment"; and

(b) after the definition of "regulatory body" insert—

"; and

"revalidation pilot scheme" has the meaning given by section 29EA(3) above.".

Amendment of section 35CC

18. In section 35CC(3) (provisions supplementary to section 35C), after the words "in a case where" insert ", in circumstances other than those specified in section 29C(1)(a) and (b)".

Amendment of Schedule 3B

19.—(1) Amend Schedule 3B (licence to practise and revalidation: appeals) as follows.

(2) In paragraph 5 (powers of Registration Appeal Panels disposing of an appeal)—

(a) omit "or" at the end of paragraph (b); and

(b) after paragraph (c) insert—

"(d) if the appeal is against a decision to—

(i) remove an entry in respect of a medical practitioner from the General Practitioner Register or the Specialist Register, or

(ii) amend an entry in respect of a medical practitioner in either of those Registers,

that the entry should, or (as the case may be) should not, be removed or amended; or

(e) if the appeal is against a decision to refuse to restore an entry in respect of a medical practitioner to the General Practitioner Register or the Specialist Register, that the entry should, or (as the case may be) should not, be restored,".

(3) In paragraph 6 (successful appeals)—

(a) in sub-paragraph (1)—

(i) omit "or" at the end of paragraph (b), and

(ii) after paragraph (c) insert—

"(d) that an entry in respect of the medical practitioner should not be removed from the General Practitioner Register or the Specialist Register or should not be amended; or

(e) that an entry in respect of the medical practitioner should be restored to the General Practitioner Register or the Specialist Register."; and

(b) in sub-paragraph (2)—

(i) omit "or" at the end of paragraph (b); and

(ii) after paragraph (c) insert—

"(d) not to remove the entry from the General Practitioner Register or the Specialist Register or not to amend the entry; or

(e) to restore the entry to the General Practitioner Register or the Specialist Register.".

(4) In paragraph 7 (unsuccessful appeals)—

(a) in sub-paragraph (1)—

(i) omit "or" at the end of paragraph (b), and

(ii) after paragraph (c) insert—

"(d) that an entry in respect of the medical practitioner should be removed from the General Practitioner Register or the Specialist Register or should be amended; or

(e) that an entry in respect of the medical practitioner should not be restored to the General Practitioner Register or the Specialist Register.";

(b) in sub-paragraph (2)—

(i) omit "and" at the end of paragraph (a), and

(ii) after paragraph (b) insert—

"; and

(c) if the determination is that an entry in respect of the medical practitioner should be removed from the General Practitioner Register or the Specialist Register or should be amended, directing him to remove or amend the entry."; and

(c) in sub-paragraph (4), after "direction under sub-paragraph (2)(b)" insert "or (c)".

SCHEDULE 2

Article 4

Amendments to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003

Amendment of article 14

20. In article 14(**a**) (specialists eligible for entry in the Specialist Register), after paragraph (3) insert—

"(3A) A person is also an eligible specialist for the purposes of article 13(2)(b) if—

(a) he is a person to whom the scheme under article 15B applies; and

(b) it would be appropriate, in accordance with that scheme, for the person's name to be included in the Specialist Register.".

New article 15B

21. After article 15A(**b**) insert—

"**Scheme for registration of persons who were consultants before 1997**

15B.—(1) This article has effect for the purposes of article 14(3A).

(2) The GMC shall publish a scheme for the inclusion in the Specialist Register of persons who, immediately before 1st January 1997, were consultants in a medical specialty in either the National Health Service or the armed forces.

(3) The scheme shall make provision—

(a) as to the criteria to be considered in determining whether to include a person's name in the register; and

(b) excluding any person whose name has been removed from the Specialist Register under regulations made by virtue of section 29B(2A) of the Medical Act 1983 (grant, refusal and withdrawal of licences to practise).

(4) In paragraph (2), "armed forces" means the naval, military or air forces of the Crown and includes the reserve forces within the meaning of section 1(2) of the Reserve Forces Act 1996(**c**).".

(**a**) Article 14 was amended by S.I. 2007/3101.
(**b**) Article 15A was inserted by S.I. 2007/3101.
(**c**) 1996 c.14.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Medical Act 1983 ("the 1983 Act") and the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 ("the 2003 Order").

Article 2 of the Order provides for all functions under the 1983 Act relating to medical education to be transferred to the General Medical Council ("the General Council"). Under the 1983 Act, the functions were conferred directly on the Education Committee of the General Council.

Article 3(1) of the Order introduces Part 1 of Schedule 1 to the Order which contains a number of textual amendments to the 1983 Act which relate to medical education. These include amendments to implement article 2 of the Order, providing for the functions to be exercised by the General Council.

Article 3(2) of the Order introduces Part 2 of Schedule 1 to the Order which amends Part 3A of the 1983 Act (licences to practise and revalidation). Part 3A of the 1983 Act confers power on the General Council to make regulations for licences to practise to be granted, refused or withdrawn from medical practitioners, and to make regulations for the revalidation of practitioners. "Revalidation" is defined in Part 3A as "evaluation of a medical practitioner's fitness to practise". As a result of the amendments to Part 3A contained in this Order, the regulation-making powers of the General Council in connection with licences to practise will be expanded to allow provision for the removal or amendment of an entry in respect of a practitioner in the General Practitioner or Specialist Registers (these registers are maintained by the General Council under Part 4 of the 2003 Order). In addition, General Council regulations will be able to provide for revalidation to be carried out by reference to standards set by a person or body specified in the regulations and for any such person or body to carry out the revalidation and make reports and recommendations to the licensing authority. Other amendments to the 1983 Act made by this Order relate to disclosure of information obtained in the course of revalidation (including during voluntary pilot schemes to be carried out in connection with the introduction of revalidation) or contain supplementary provision.

Article 4 of the Order introduces Schedule 2 to the Order which amends Part 4 of the 2003 Order, which relates to the General Practitioner Register and the Specialist Register which are held by the General Council. The amendments in Schedule 2 relate to the Specialist Register and provide an additional ground of eligibility on which a person can apply to have their name entered in that Register. This applies to persons who were consultants in the National Health Service or the armed forces before 1st January 1997. The General Council is required to publish a scheme setting out the requirements for registration and an applicant for registration must meet those requirements and satisfy the Registrar of the General Council that it is appropriate for their name to be entered in the Specialist Register in accordance with the General Council's scheme.

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