STATUTORY INSTRUMENTS

2009 No. 2765

HEALTH CARE AND ASSOCIATED PROFESSIONS

DOCTORS

The General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure (Amendment) Rules Order of Council 2009

Made - - - -	*12th October 2009*
Laid before Parliament	*16th October 2009*
Coming into force - -	*16th November 2009*

At the Council Chamber, Whitehall, the 12th day of October 2009

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

Whereas, in exercise of their powers under paragraph 1 of Schedule 4 to, the Medical Act 1983(**a**) the General Medical Council has made the General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure (Amendment) Rules 2009 as set out in the Schedule to this Order;

And whereas by paragraph 1(7) of that Schedule such Rules shall not come into force until approved by order of the Privy Council, who may by paragraph 1(8)(a) of that Schedule approve such Rules as submitted to them;

Now, therefore, Their Lordships, having taken these Rules into consideration, are pleased to, and do hereby approve them.

This Order may be cited as the General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure (Amendment) Rules Order of Council 2009 and shall come into force on 16th November 2009.

Judith Simpson
Clerk of the Privy Council

(**a**) 1983 c. 54. Schedule 4 was substituted by articles 2 and 14 of SI 2002/3135, and paragraph 1 was amended by SI 2006/1914, articles 2 and 57 of SI 2006/1914.

SCHEDULE

THE GENERAL MEDICAL COUNCIL (FITNESS TO PRACTISE) (DISQUALIFYING DECISIONS AND DETERMINATIONS BY REGULATORY BODIES) PROCEDURE (AMENDMENT) RULES 2009

The General Council, in exercise of its powers under paragraph 1 of Schedule 4 to the Medical Act 1983, and having consulted such bodies of persons representing medical practitioners and such medical practitioners as appeared to it requisite to be consulted pursuant to paragraph 1(6) of Schedule 4 to that Act, hereby makes the following Rules:

Citation and commencement

1. These rules may be cited as the General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure (Amendment) Rules 2009 and shall come into force on the 16th day of November 2009.

Consequential amendments

2. In the General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure Rules 2004(**a**):

(1) In rule 2—

(a) in the definition of "The Presenting Officer", for "and may include solicitor" substitute "and may include a solicitor"; and

(b) in the definition of "practitioner", for "registered medical practitioner", substitute "person registered under the Act, whether or not they hold a licence to practise".

(2) In rules 4(d) and 5(f) and (g), omit "or 44A(4)".

(3) In rules 5(a)(i) and (ii), for "registration number" substitute "GMC Reference Number".

Given under the official seal of the General Medical Council this 10th day of September 2009.

L.S.

Peter Rubin
Chair

Finlay Scott
Chief Executive and Registrar

(**a**) Scheduled to SI 2004/2607.

EXPLANATORY NOTE

(This note is not part of the Order)

The Rules approved by this Order make minor changes to rules 2, 4 and 5 of the General Medical Council (Fitness to Practise) (Disqualifying Decisions and Determinations by Regulatory Bodies) Procedure Rules 2004 to reflect amendments made to the Medical Act 1983 by the Medical Act (Amendment) and Miscellaneous Amendments Order 2006 (SI 2006/1914).

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