STATUTORY INSTRUMENTS

2014 No. 1272

HEALTH CARE AND ASSOCIATED PROFESSIONS

DOCTORS

The General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) (Amendment) Regulations Order of Council 2014

Made - - - -	*13th May 2014*
Laid before Parliament	*21st May 2014*
Coming into force - -	*25th June 2014*

At the Council Chamber, Whitehall the 13th day of May 2014

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

The General Medical Council has made the General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) (Amendment) Regulations 2014 which are set out in the Schedule to this Order, in exercise of the powers conferred by section 31A of the Medical Act 1983(**a**).

By virtue of section 31A(2) of that Act, such Regulations shall not have effect until approved by Order of the Privy Council.

Citation and commencement

1. This Order may be cited as the General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) (Amendment) Regulations Order of Council 2014 and comes into force on 25th June 2014.

Privy Council approval

2. Their Lordships, having taken these Regulations into consideration, are pleased to, and do approve them.

Richard Tilbrook
Clerk of the Privy Council

(**a**) 1983 c.54. Section 31A was inserted by the Medical (Professional Performance) Act 1995 c.51, and amended by S.I. 2002/3135 and S.I. 2010/234.

SCHEDULE

Article 2

The General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) (Amendment) Regulations 2014

These Regulations are made by the General Medical Council in exercise of the powers conferred by section 31A of the Medical Act 1983.

Citation and commencement

1. These Regulations may be cited as the General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) (Amendment) Regulations 2014 and come into force on 25th June 2014.

Amendments to the General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) Regulations 2004

2.—(1) The General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) Regulations 2004(**a**) are amended as follows.

(2) In regulation 5 (restoration procedure where fitness to practise issues arise)—

(a) after paragraph (2), insert—

"(2A) The Registrar may apply rule 23(1)(b) and (c)(**b**) of Part 6 of the Fitness to Practise Rules as is in the Registrar's opinion appropriate to the consideration of the restoration application under paragraph (3) as if the application for restoration were made under that rule.".

(b) in paragraph (3)—

(i) in sub-paragraph (a)(i), omit "and",

(ii) after sub-paragraph (a)(ii), insert—

"(iii) any information, documents or evidence obtained by virtue of paragraph (2A); and".

Given under the official seal of the General Medical Council this 30th day of April 2014.

Professor Sir Peter Rubin
Chair

Niall Dickson
Chief Executive and Registrar

(**a**) Scheduled to S.I. 2004/2609 which has been amended by S.I. 2009/2763.
(**b**) Rule 23(1)(c) has been inserted by S.I. 2014/1270.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order approves the Regulations set out in the Schedule to it which amend the General Medical Council (Voluntary Erasure and Restoration following Voluntary Erasure) Regulations 2004 ("2004 Regulations") (scheduled to S.I. 2004/2609).

Regulation 2(2)(a) inserts a new provision in regulation 5 of the 2004 Regulations, which applies rule 23(1)(b) and (c) of the General Medical Council (Fitness to Practise) Rules 2004 (Scheduled to S.I. 2004/2608), enabling the Registrar to direct a medical practitioner seeking restoration to the register of medical practitioners to undertake an assessment of his performance, health or knowledge of English in accordance Schedule 1, 2 or 3 of those Rules.

Regulation 2(2)(b) also amends regulation 5 of the 2004 Regulations, enabling the Case Examiners to take account of any documents, information or evidence obtained as a result of a direction to undertake a performance, health or knowledge of English assessment.

© Crown copyright 2014

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£4.25

UK2014051618 05/2014 19585

http://www.legislation.gov.uk/id/uksi/2014/1272

ISBN 978-0-11-111506-0

9 780111 115060