Table of Statutes referred to in this Act

Short Title	Session and Chapter
Sunday Fairs Act, 1448	27 Hen. 6. c. 5.
Sunday Observance Act, 1677	29 Cha. 2. c. 7.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Public Health (Scotland) Act, 1897	60 & 61 Vict. c. 38.
Finance (1909–1910) Act, 1910	10 Edw. 7. & 1 Geo. 5. c. 8.
Shops Act, 1912	2 & 3 Geo. 5. c. 3.
Shops Act, 1913	2 & 3 Geo. 5. c. 24.
Shops (Hours of Closing) Act, 1928	18 & 19 Geo. 5. c. 38.
Hairdressers' and Barbers' Shops (Sunday Closing) Act, 1930	20 & 21 Geo. 5. c. 35.
Sunday Entertainments Act, 1932	22 & 23 Geo. 5. c. 51.
Children and Young Persons Act, 1933	23 & 24 Geo. 5. c. 12.
Pharmacy and Poisons Act, 1933	23 & 24 Geo. 5. c. 25.
Shops Act, 1934	24 & 25 Geo. 5. c. 42.
Shops Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 28.
Retail Meat Dealers' Shops (Sunday Closing) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 30.
Public Health Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 49.
Public Health (London) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 50.
Shops (Sunday Trading Restriction) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 53.
Children and Young Persons (Scotland) Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 37.
Factories Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 67.
Young Persons (Employment) Act, 1938	1 & 2 Geo. 6. c. 69.
Supplies and Services (Transitional Powers) Act, 1945	9 & 10 Geo. 6. c. 10.
National Health Service Act, 1946	9 & 10 Geo. 6. c. 81.
Justices of the Peace Act, 1949	12, 13 & 14 Geo. 6. c. 101.

CHAPTER 29

Medical Act, 1950

ARRANGEMENT OF SECTIONS

Experience required for registration

Section
1. Full registration in medical register not to be granted without proof of experience.
2. Certificate of experience in approved hospital.
3. Special provisions as to employment in Health Centres.
4. Experience required for holders of Commonwealth or foreign diplomas.

Section
5. Replacement, in cases of physical disability, of surgical experience by additional medical experience.
6. Provisional registration.
7. Special provisions as to holders of diplomas granted in Republic of Ireland.

Provisions relating to Council

8. Amendments as to members of Council nominated by His Majesty.
9. Amendments as to members of Council chosen by Universities, Colleges, etc.
10. Increase in number of elected members of Council and revocation of S.R. & O. 1909 No. 916 and S.R. & O. 1931 No. 719.
11. Term of office of elected members of Council.
12. Members of Parliament not to be remunerated as members of Council.
13. Name of Council.

Disciplinary provisions

14. Medical Disciplinary Committee.
15. Constitution of Medical Disciplinary Committee.
16. Procedure of Medical Disciplinary Committee.
17. Assessor to Medical Disciplinary Committee.
18. Amendments as to striking off register under s. 29 of Medical Act, 1858.
19. Provisions where University or College strike name of member from list.
20. Appeal against striking off register.
21. Restoration of names to medical register.

Miscellaneous

22. Appointment of visitors of medical schools.
23. The British Pharmacopoeia.
24. Registration fees.
25. Declaration of law as to reciprocal arrangements.
26. Amendment as to joint qualifying examinations.
27. Registration of Commonwealth diplomas in public health, etc.
28. Amendment of s. 40 of Medical Act, 1858.
29. Restoration of names of licentiates of Apothecaries Society.
30. Subsistence allowances for members of Council.
31. Extension of 11 & 12 Geo. 6. c. 11.

Supplementary

32. Validity of proceedings of Council and Disciplinary Committee.
33. Exercise of powers of privy Council.
34. Rules and orders.
35. Construction of references to registrar and registration.
36. Interpretation.
37. Application to Northern Ireland.
38. Short title and citation.

SCHEDULES:

First Schedule.—Enactments applicable to provisional registration.

Second Schedule.—Amendment of references to registration.

An Act to amend the Medical Acts, and for purposes connected therewith. [28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Experience required for registration

Full registration in medical register not to be granted without proof of experience.

1. On or after the appointed day a person shall not become registered, otherwise than in pursuance of the Medical Practitioners and Pharmacists Act, 1947, or by way of provisional registration, unless—

(*a*) in the case of a person claiming registration by virtue of a qualifying diploma other than a Commonwealth or foreign diploma, it is certified under the next following section that he has had the experience specified in that section, or

(*b*) in the case of a person claiming registration by virtue of a Commonwealth or foreign diploma, the Council are satisfied that he has had such experience as is specified in section four of this Act.

Certificate of experience in approved hospital.

2.—(1) A certificate for the purposes of paragraph (*a*) of the foregoing section shall not be granted in respect of any person unless after passing a qualifying examination he has been engaged in employment in a resident medical capacity in one or more approved hospitals or approved institutions for such period as may be prescribed by regulations of the Council approved by order of the Privy Council.

(2) A person satisfying the condition specified in the last foregoing subsection may apply for a certificate under this section to the body granting the qualifying diploma by virtue of which he claims registration, and if that body are satisfied—

(*a*) that during the time the applicant has been so employed as aforesaid he has been engaged for such period or minimum period as may by regulations of the Council be prescribed in medicine, and for such period or minimum period as may be so prescribed in surgery; and

(*b*) that his service while so employed has been satisfactory,

they shall grant, in such form as may be so prescribed, a certificate that they are so satisfied.

(3) Time during which an applicant, while employed as mentioned in subsection (1) of this section, has been engaged in midwifery, not exceeding such period as may be prescribed by

regulations of the Council, shall be counted for the purposes of paragraph (*a*) of the last foregoing subsection either as time spent in medicine or as time spent in surgery, as the applicant may elect.

(4) Where during any period of such employment as is referred to in subsection (1) of this section an applicant who has been engaged in medicine has also been engaged in surgery or in midwifery or both, or an applicant who has been engaged in surgery has also been engaged in midwifery, the period shall be apportioned for the purposes of the foregoing provisions of this section in such manner as may be determined by the body granting the qualifying diploma by virtue of which the applicant claims registration.

(5) In this section—

the expression "approved", in relation to a hospital or institution, means approved for the time being for the purposes of this section by any university or other corporation empowered to grant a qualifying diploma, not being a Commonwealth or foreign diploma, and

references to employment in a resident medical capacity shall be construed as references to employment in the practice of medicine, surgery or midwifery, where the person in question is resident in the hospital or institution where he is employed or conveniently near thereto, and is by the terms of his employment required to be so resident.

(6) In relation to a person claiming registration by virtue of a diploma granted on passing a qualifying examination held by two or more bodies jointly, the references in this section to the body granting the qualifying diploma shall be construed as references to the bodies by whom the qualifying examination was held, acting jointly.

(7) Subject to the provisions of the last foregoing subsection, a person holding two or more qualifying diplomas shall be treated for the purposes of this section as claiming registration by virtue of such one of those diplomas as he may choose.

Special provisions as to employment in Health Centres.

3.—(1) For the purposes of the last foregoing section the expression "institution" includes a health centre if, and only if, it is a centre provided under section twenty-one of the National Health Service Act, 1946, section fifteen of the National Health Service (Scotland) Act, 1947, or section seventeen of the Health Services Act (Northern Ireland), 1948.

(2) Employment in such a centre shall not be treated as employment for the purposes of the last foregoing section unless it is either—

(*a*) employment by a registered medical practitioner in the provision of general medical services under Part IV

of the said Act of 1946, Part IV of the said Act of 1947 or Part II of the said Act of 1948, or

(*b*) employment in the provision of such out-patient services as are mentioned in paragraph (*e*) of subsection (1) of section twenty-one of the said Act of 1946 or paragraph (*d*) of subsection (1) of section fifteen of the said Act of 1947, or such out-patient services, other than supplementary eye services, as are mentioned in paragraph (*b*) of subsection (1) of section seventeen of the said Act of 1948.

(3) The Council may by regulations provide that the period of employment in a health centre which may be reckoned towards the completion of any of the periods mentioned in paragraph (*a*) of subsection (2) of the last foregoing section shall not exceed such period as may be specified in the regulations.

Experience required for holders of Commonwealth or foreign diplomas.

4. The matters as to which the Council must be satisfied for the purposes of paragraph (*b*) of section one of this Act are—

(*a*) that the person claiming registration has been employed as mentioned in subsection (1) of section two of this Act and has satisfied the conditions specified in paragraphs (*a*) and (*b*) of subsection (2) thereof; or

(*b*) that the said person has rendered satisfactory service in an appointment or appointments (whether within or outside His Majesty's dominions) such as in the opinion of the Council confer experience of the practice of medicine and surgery, or medicine, surgery and midwifery, not less extensive than that required for a certificate under section two of this Act; or

(*c*) that the said person has otherwise acquired such experience as aforesaid.

Replacement, in cases of physical disability, of surgical experience by additional medical experience.

5.—(1) Where on an application in that behalf a person satisfies the Council that by reason of lasting physical disability he will be or has been prevented from embarking on, or completing, any period of experience of the practice of surgery or midwifery required for the purposes of any of the foregoing provisions of this Act, the Council may if they think fit direct that the applicant may for those purposes count in lieu thereof experience of the practice of medicine (in addition to what would otherwise be required in his case by the said provisions) acquired in the like manner and for the like period or, as the case may be, for so much of that period as will have remained uncompleted.

(2) Where the Council give a direction under this section they shall give notice of the direction to the body granting the qualifying diploma to the person to whom the direction relates.

(3) Subsections (6) and (7) of section two of this Act shall apply for the purposes of this section as they apply for the purposes of that section.

Provisional registration.

6.—(1) The following provisions shall have effect for enabling persons desirous of obtaining certificates under section two of this Act, or of satisfying the Council of the matters specified in paragraph (*a*) of section four of this Act, to be employed as mentioned in subsection (1) of the said section two.

(2) Any person who applies to the appropriate registrar shall, if apart from this Act he would be entitled to be registered and he produces evidence satisfactory to the registrar that he has been selected for such employment as is mentioned in subsection (1) of section two of this Act, be entitled on payment of the appropriate fee to be provisionally registered.

(3) Persons provisionally registered shall be deemed to be registered so far as is necessary—

(*a*) to enable them to be employed as mentioned in subsection (1) of section two of this Act,

(*b*) in order that the provisions of this Act relating expressly to provisional registration and the provisions specified in the First Schedule to this Act may be applicable in their case, and

(*c*) for the purpose of any such enactment or instrument, or such other purposes, as the Privy Council may by order prescribe,

but not further.

(4) In section forty of the Medical Act, 1858 (which among other things makes it an offence falsely to pretend to be registered) for the words " under this Act " there shall be substituted the words " under the Medical Acts or provisionally so registered by virtue of section six of the Medical Act, 1950 ".

(5) The Council shall so exercise their power of making orders for regulating the registers to be kept under the Medical Acts as to secure that persons provisionally registered shall be registered in separate parts of those registers, and that on a person's becoming registered otherwise than provisionally his name shall be removed from the separate part of the register.

(6) The Council may if they think fit direct that in addition to the annual publication of the register directed by section twenty-seven of the Medical Act, 1858, the registrar of the Council shall at such time or times during a year as the Council may direct cause to be printed, published and sold, under the direction of the Council, a register relating only to persons provisionally registered, to be called " The Register of Provisional Medical Registrations," in the like form and containing

the like particulars as the Medical Register, but compiled by reference to such date or dates in the year as the Council may direct; and the provisions of the said section twenty-seven relating to evidence shall apply to the Register of Provisional Medical Registrations as they apply to the Medical Register.

(7) For the purposes of subsection (2) of this section the appropriate registrar—

(*a*) in the case of a person claiming provisional registration by virtue of a Commonwealth or foreign diploma, shall be the registrar of the Council;

(*b*) in any other case, shall be the registrar of any of the Branch Councils,

and the register in which provisional registration is to be effected shall be determined accordingly.

Special provisions as to holders of diplomas granted in Republic of Ireland.

7.—(1) The following provisions shall have effect as respects any person holding a qualifying diploma granted by a university or other corporation having its seat in the Republic of Ireland.

(2) If by the law of the Republic of Ireland provision is made for purposes similar to those of the last foregoing section, no such person shall, after the date of the coming into operation of the said provision of the law of the Republic of Ireland, become provisionally registered unless he is registered by virtue of the said provision of the law of the Republic of Ireland.

(3) In the case of any such person registered by virtue of the said provision of the law of the Republic of Ireland, no fee shall be chargeable for provisional registration.

(4) In relation to any such person as is mentioned in subsection (1) of this section, the definition of " approved " in subsection (5) of section two of this Act shall have effect with the substitution for the reference to a university or other corporation such as is mentioned in that subsection of a reference to the Medical Registration Council constituted under the law of the Republic of Ireland or a body acting on behalf of that Council.

(5) In relation to any such person as is mentioned in subsection (1) of this section—

(*a*) subsection (1) of section three of this Act shall have effect as if the reference in that subsection to centres provided under the enactments specified therein included a reference to health centres provided under the law of the Republic of Ireland, and

(*b*) subsection (2) of the said section three shall have effect, in relation to a health centre provided under the said law, as if for the employment specified in paragraphs (*a*) and (*b*) of the said subsection (2) there were substituted employment certified by the said Medical Registration Council or a body acting on behalf of that Council to correspond to the employment specified as aforesaid.

(6) Section one of this Act shall not apply to any such person as is mentioned in subsection (1) of this section if he was before the appointed day registered in the register kept in pursuance of the provisions of the law of the Republic of Ireland known as the Medical Practitioners Act, 1927, is for the time being so registered, and apart from this Act would be entitled to be registered under the Medical Acts.

Provisions relating to Council

Amendments as to members of Council nominated by His Majesty.

8.—(1) A person shall not after the passing of this Act be nominated by His Majesty to be a member of the Council in pursuance of section seven of the Medical Act, 1886, unless he is a registered medical practitioner.

(2) In addition to the five members of the Council nominated as aforesaid there shall be three members nominated from time to time by His Majesty with the advice of his Privy Council, and of those three members—

(*a*) none shall be a registered medical practitioner or the holder of a qualifying diploma;

(*b*) two shall be nominated for England and Wales, and one shall be nominated for Scotland.

(3) Any person nominated as aforesaid before the passing of this Act who is neither a registered medical practitioner nor the holder of a qualifying diploma shall be deemed as from the passing of this Act to have been nominated in pursuance of the last foregoing subsection and not in pursuance of section seven of the Medical Act, 1886.

Amendments as to members of Council chosen by Universities, Colleges, etc.

9.—(1) In section seven of the Medical Act, 1858 (which provides that members of the Council representing the medical corporations must be qualified to be registered under that Act) for the words "qualified to be registered under this Act" there shall be substituted the words "registered under the Medical Acts".

(2) So much of subsection (1) of section seven of the Medical Act, 1886, as provides that the Council shall include one person chosen from time to time by each of certain specified bodies shall have effect as if among those bodies there were included the Royal College of Obstetricians and Gynaecologists.

Increase in number of elected members of Council and revocation of S.R. & O. 1909 No. 916 and S.R. & O. 1931 No. 719.

10.—(1) The number of persons to be elected from time to time to the Council under subsection (1) of section seven of the Medical Act, 1886, by medical practitioners resident—

(*a*) in England and Wales, shall be increased to eight, and

(*b*) in Scotland, shall be increased to two;

and without prejudice to the provisions of section ten of that Act (which among other things enable His Majesty by Order in Council to provide for the election of additional members to the

Council) the two Orders in Council made under the said section ten and dated respectively the tenth day of August, nineteen hundred and nine, and the eleventh day of August, nineteen hundred and thirty-one, are hereby revoked.

(2) Of the persons elected in pursuance of paragraph (*a*) of the last foregoing subsection, one shall be elected as a person resident in Wales; and regulations of the Privy Council under subsection (4) of section eight of the Medical Act, 1886 (which provides that elections of direct representatives shall be conducted in such manner as may be provided by such regulations) shall make provision for the separate election of the said one person and otherwise for giving effect to the provisions of this subsection.

(3) In subsection (6) of section eight of the Medical Act, 1886 (which provides for the time at which direct representatives are to come into office) for the words " to fill a vacancy caused by the death or resignation of any such representative " there shall be substituted the words " in any other circumstances ".

(4) The foregoing provisions of this section shall not have effect as respects the election of persons for a term of office beginning before the appointed day.

Term of office of elected members of Council.

11.—(1) The term of office of each of the elected members of the Council holding office at the passing of this Act shall be extended or reduced, as the case may require, so as to expire on the appointed day.

(2) Any person elected (whether before or after the appointed day) in the place of an elected member of the Council whose office is vacated otherwise than by effluxion of time shall hold office for the residue of the term for which his predecessor might have held office, and (unless re-elected) no longer.

(3) Where (whether before or after the appointed day) an elected member of the Council vacates office before, but less than twelve months before, the end of his full term of office, the vacancy shall not be filled until the end of his full term of office.

(4) In subsection (3) of section eight of the Medical Act, 1886, for the words from " and such returning officer " to the end of the subsection (which require the returning officer, not less than six weeks nor more than two months before the day on which a vacancy occurs, or, in the case of a casual vacancy, as soon as conveniently may be after the occurrence thereof, to issue a precept requiring an election to be held within twenty-one days) there shall be substituted the words " and—

(*a*) not more than three months nor less than two months before the day by which any vacancy in the office of direct representative for any part of the United Kingdom

will require to be filled, either by reason of the effluxion of time or by reason of an increase in the number of direct representatives, or

(*b*) as soon as conveniently may be after the occurrence of such a vacancy arising by death or resignation, not being a vacancy to which subsection (3) of section eleven of the Medical Act, 1950, applies,

the returning officer shall issue his precept to the branch council for the said part of the United Kingdom, requiring that council to cause an election for filling the vacancy to be held within forty days after the receipt of the precept of the returning officer ".

Members of Parliament not to be remunerated as members of Council.

12. No person shall be disqualified for being elected to, or sitting or voting as a member of, the House of Commons by reason of being a member of the Council; but in relation to a member of the Council who is a member of the House of Commons section twelve of the Medical Act, 1858 (which provides that members of the Council shall be paid such fees for attendance and such reasonable travelling expenses as are fixed under that section) shall have effect as if the words " such fees for attendance and " were omitted.

Name of Council.

13. As from the appointed day, the Council shall be called the General Medical Council, and not (as heretofore) the General Council of Medical Education and Registration of the United Kingdom; and references in any enactment, instrument or other document passed or made before the appointed day shall be construed accordingly.

Disciplinary provisions

Medical Disciplinary Committee.

14.—(1) As from the appointed day the functions of the Council or a Branch Council under sections twenty-six and twenty-nine of the Medical Act, 1858, are hereby transferred to and shall be exercisable by a committee, to be known as the Medical Disciplinary Committee, constituted in accordance with the following provisions of this Act in that behalf; and references in Part I of the Schedule to the Medical and Dentists Acts Amendment Act, 1927, to the Council or a Branch Council shall be construed accordingly.

(2) Notwithstanding the provisions of the last foregoing subsection, any proceedings in which the hearing before the Council has been begun before the appointed day under either of the said sections twenty-six and twenty-nine shall be continued and determined as if this section had not been passed.

Constitution of Medical Disciplinary Committee.

15.—(1) The Medical Disciplinary Committee (hereinafter referred to as " the Committee ") shall consist of the President and eighteen other members of the Council, of whom at least six shall be elected members of the Council and at least two shall be persons who are neither registered medical practitioners nor the holders of qualifying diplomas.

(2) The members of the Committee shall be appointed by the Council, and shall hold office for such term as may be prescribed by regulations of the Council.

(3) At any meeting of the Committee the President of the Council, or in his absence such member as the Committee may choose, shall be chairman.

(4) The quorum of the Committee shall be five; and the Committee shall make arrangements for securing that, except where it appears to the President or a member of the Committee authorised by him to act on his behalf that there are circumstances requiring the presence of a greater number of members of the Committee, not more than nine members of the Committee shall attend for the hearing of any case, but that at any such hearing at least one of the members who are neither registered medical practitioners nor the holders of qualifying diplomas, and at least two of the members who are elected members of the Council, shall be eligible to attend.

(5) All acts of the Committee shall be decided by the votes of a majority of the members present at any meeting.

Procedure of Medical Disciplinary Committee.

16.—(1) For the purpose of proceedings before the Committee the Committee may administer oaths, and any party to the proceedings may sue out writs of sub poena ad testificandum and duces tecum, but no person shall be compelled under any such writ to produce any document which he could not be compelled to produce on the trial of an action; and section forty-nine of the Supreme Court of Judicature (Consolidation) Act, 1925 (which provides a special procedure for the issue of such writs so as to be in force throughout the United Kingdom) shall apply in relation to proceedings before the Committee as it applies in relation to causes or matters in the High Court.

(2) Subject to the provisions of this Act, the Committee shall make rules as to the times and places of the meetings of the Committee and the mode of summoning the members, and as to the procedure to be followed and rules of evidence to be observed in proceedings before the Committee, and in particular—

(*a*) for requiring that before any matters are referred to the Committee they shall, in such manner as may be provided by the rules, have been brought before and investigated by a Committee of the Council constituted in accordance with the rules, and for securing that a person, other than the President of the Council, who has acted in relation to any matter as a member of the Committee constituted as aforesaid shall not act in relation to that matter as a member of the Medical Disciplinary Committee;

(*b*) for securing that notice that the proceedings are to be brought shall be given, at such time and in such manner

as may be specified in the rules, to the person to whose registration or provisional registration the proceedings relate;

(*c*) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Committee;

(*d*) for enabling any party to the proceedings to be represented by counsel or solicitor, or (if the rules so provide and the party so elects) by a person of such other description as may be specified in the rules;

(*e*) for requiring proceedings before the Committee to be held in public except in so far as may be provided by the rules;

(*f*) for requiring in cases where it is alleged that a registered medical practitioner has been guilty of infamous conduct in any professional respect that where the Committee judge that the allegation has not been proved they shall record a finding that the practitioner is not guilty of such conduct in respect of the matters to which the allegation relates.

(3) Before making rules under the last foregoing subsection the Committee shall consult with such bodies of persons representing medical practitioners, or medical practitioners of any description, as appear to the Committee requisite to be consulted.

(4) Rules under this section shall not come into force until approved by order of the Privy Council, and the Privy Council may approve such rules either as submitted to them or subject to such modifications as appear to them requisite:

Provided that where the Privy Council propose to approve any rules subject to modifications they shall notify to the Committee the modifications they propose to make and consider any observations of the Committee thereon.

Assessor to Medical Disciplinary Committee.

17.—(1) For the purpose of advising the Committee on questions of law arising in proceedings before them, there shall in all such proceedings be an assessor to the Committee who shall be appointed by the Council and shall be a barrister, advocate or solicitor of not less than ten years' standing.

(2) The Lord Chancellor may make rules as to the functions of assessors appointed under this section, and in particular rules under this subsection may contain such provisions for securing—

(*a*) that where an assessor advises the Committee on any question of law as to evidence, procedure or any other matters specified in the rules, he shall do so in the presence of every party, or person representing a party, to the proceedings who appears thereat or, if the advice is tendered after the Committee have begun to deliberate

as to their findings, that every such party or person as aforesaid shall be informed what advice the assessor has tendered,

(*b*) that every such party or person as aforesaid shall be informed if in any case the Committee do not accept the advice of the assessor on any such question as aforesaid,

and such incidental and supplementary provisions, as appear to the Lord Chancellor expedient.

(3) Any assessor under this section may be appointed either generally or for any particular proceedings or class of proceedings, and subject to the provisions of this section shall hold and vacate office in accordance with the terms of the instrument under which he is appointed.

(4) The Council may pay to persons appointed to act as assessors such remuneration, to be paid as part of the expenses of the Council, as the Council with the approval of the Privy Council may determine.

Amendments as to striking off register under s. 29 of Medical Act, 1858.

18.—(1) Section twenty-nine of the Medical Act, 1858 (which provides, among other things, for the erasure of the name of a medical practitioner from the register on conviction) shall have effect as if for the words from " in England " to " crime or offence " there were substituted the words " by any court in the United Kingdom or the Republic of Ireland of any felony, misdemeanour, crime or offence ".

(2) In any inquiry under the said section twenty-nine whether a person has been guilty of infamous conduct in any professional respect, any finding of fact which is shown to have been made in any matrimonial proceedings in the United Kingdom or the Republic of Ireland, being proceedings in the High Court or the Court of Session or on appeal from a decision in such proceedings, shall be conclusive evidence of the fact found.

Provisions where University or College strike name of member from list.

19.—(1) Section twenty eight of the Medical Act, 1858, is hereby repealed, and the following provisions shall have effect in substitution therefor.

(2) If any body, having granted a qualifying diploma, exercise any power conferred by law of striking off the name of the person to whom the diploma was granted, and notify to the Council the fact of the striking-off, then if he is registered, whether provisionally or otherwise,—

(*a*) the registrar shall make a note of the fact in the register;

(*b*) if the said body notify to the Council the findings of fact on which the decision to strike off the name was based, then for the purposes of any inquiry under section twenty-nine of the Medical Act, 1858, whether the person to whom the decision relates has been guilty of

infamous conduct in any professional respect the findings may, if the Committee think fit, be treated as conclusive of the facts found.

In the application of this subsection to an inquiry under the said section twenty-nine begun before the appointed day, for the reference to the Committee there shall be substituted a reference to the Council.

Appeal against striking off register.

20.—(1) Where in the case of a person registered, whether provisionally or otherwise, the Committee determine that his name shall be erased from the register on any ground specified in section twenty-six or twenty-nine of the Medical Act, 1858, the registrar shall serve on him a notification of the determination of the Committee.

(2) Any notification required to be served by the last foregoing subsection may be served by post in a registered letter addressed to the person on whom it is to be served at his address on the register or at his last known address, if that address differs from his address on the register and it appears to the registrar that such service will be more effective.

(3) At any time within twenty-eight days of the service of a notification under subsection (1) of this section. the person on whom it was served may, in accordance with such rules as His Majesty in Council may by Order provide for the purposes of this section, appeal to His Majesty in Council; and the Judicial Committee Act, 1833, shall apply in relation to the Medical Disciplinary Committee as it applies to such courts as are mentioned in section three of that Act (which provides for the reference to the Judicial Committee of the Privy Council of appeals to His Majesty in Council).

(4) The Council may appear as respondent on any such appeal; and for the purpose of enabling directions to be given as to the costs of any such appeal the Council shall be deemed to be a party thereto, whether they appear on the hearing of the appeal or not.

(5) Where no appeal is brought against a determination such as is mentioned in subsection (1) of this section, or where such an appeal is brought but withdrawn or struck out for want of prosecution, the determination shall take effect on the expiration of the time for appealing or, as the case may be, on the withdrawal or striking out of the appeal.

(6) Subject as aforesaid, where an appeal is brought against such a determination the determination shall take effect if and when the appeal is dismissed and not otherwise.

Restoration of names to medical register.

21.—(1) Where the name of a person has been erased from the register under section twenty-eight or section twenty-nine of the Medical Act, 1858, the Committee may if they think fit at any time direct the registrar to restore his name to the register.

(2) Nothing in the Medical Act, 1858, shall be construed as preventing a person's being registered by reason only that his name has been erased under section twenty-six of that Act on the ground of fraud or error:

Provided that where a person's name has been so erased on the ground of fraud he shall not be registered except on an application in that behalf to the Committee, and on any such application the Committee may if they think fit direct that he shall not be registered, or shall not be registered until the expiration of such period as may be specified in the direction.

(3) An application for the restoration of a name to the register shall not be made to the Committee—

(*a*) before the expiration of eleven months from the date of erasure, or

(*b*) in any period of eleven months in which such an application has already been made by or on behalf of the person whose name has been erased.

(4) Subsection (2) of section sixteen of this Act shall not apply to proceedings under this section; but the Committee may for the purposes of such proceedings make rules as to any of the matters mentioned in the said subsection (2), and subsections (3) and (4) of the said section sixteen shall apply to rules under this section as they apply to rules under the said subsection (2).

(5) Subsections (1) to (3) of this section shall apply in relation to provisional registration as they apply in relation to other registration, so however that in relation to a person who before the erasure of his name was provisionally registered a direction under subsection (1) of this section shall be a direction that his name be restored by way of provisional registration.

(6) Section one of this Act shall not apply to registration in pursuance of a direction under subsection (1) of this section or, if on an application in that behalf the Committee so direct, to registration of a person whose name has been erased under section twenty-six of the Medical Act, 1858, on the ground of fraud or error.

(7) In relation to any period before the appointed day, the foregoing provisions of this section shall have effect with the substitution of references to the Council for references to the Committee.

Miscellaneous

Appointment of visitors of medical schools.

22.—(1) The Council may appoint persons, not being members of the Council, to visit, subject to any directions which the Privy Council may deem it expedient to give and to compliance with any conditions specified in such directions, places where instruction is given to medical students under the direction of any body having power to grant a qualifying diploma, not being a Commonwealth or foreign diploma.

(2) It shall be the duty of visitors appointed under this section to report to the Council as to the sufficiency of the instruction given in the places which they visit and as to any other matters relating to such instruction which may be specified by the Council either generally or in any particular case; but no visitor shall interfere with the giving of any instruction.

(3) On the receipt of any report of a visitor under this section the Council shall send a copy of the report to the body in question, and on the receipt of any such copy the body may, within such period (not being less than one month) as the Council may have specified at the time they sent the copy of the report, make to the Council observations on the report or objections thereto.

(4) As soon as may be after the expiration of the period specified under the last foregoing subsection the Council shall send a copy of any such report as is therein referred to and of any observations thereon or objections thereto duly made, together with the Council's comments on the report and on any such observations or objections, to the Privy Council.

(5) The Council may pay to visitors appointed under this section such remuneration, to be paid as part of the expenses of the Council, as the Council with the approval of the Privy Council may determine.

The British Pharmacopoeia.

23.—(1) The Council shall, at such intervals as they may determine, cause to be published under their direction new editions of the British Pharmacopoeia, containing such descriptions of and standards for, and such notes and other matter relating to, medicines, preparations, materials and articles used in the practice of medicine, surgery or midwifery as the Council may direct.

(2) The Council may, if they think fit, cause to be published, between any two editions of the British Pharmacopoeia, amendments of the current edition.

(3) In connection with the publication of any new edition of the British Pharmacopoeia or of any amendment of the current edition the Council shall fix a date as from which the new edition or the amendment, as the case may be, is to have effect, and shall cause to be inserted in every copy of the new edition or of the document containing the amendment, as the case may be, a statement of the date so fixed.

(4) Sections two and three of the Medical Council Act, 1862, (which vest in the Council the exclusive right of publishing and printing the British Pharmacopoeia and of selling it at a price fixed by the Treasury, and provide for giving notice of its publication and for proof of its contents) shall apply to documents containing amendments of the Pharmacopoeia as they apply to

the Pharmacopoeia; and a copy of the Pharmacopoeia or of any such document as aforesaid, being a copy purporting to be printed as mentioned in the said section three, shall be evidence that the date stated therein for the coming into effect thereof is the date fixed in that behalf by the Council.

(5) In section three of the Medical Council Act, 1862, in the second paragraph (which among other things provides that a copy of the British Pharmacopoeia printed as therein mentioned shall be admitted in evidence), for the word " printed " there shall be substituted the words " purporting to be printed ".

(6) Section fifty-four of the Medical Act, 1858 (which provided for the original publication of the British Pharmacopoeia and for its periodical republication) is hereby repealed; and references in sections eleven and twelve of the Pharmacy and Medicines Act, 1941 to the edition of the British Pharmacopoeia last published before a given date shall be construed—

(*a*) if that date falls after the time at which any edition of the British Pharmacopoeia has taken effect in accordance with this section, as references to the latest edition which has so taken effect before the said date, as affected by any amendments which have so taken effect before that date;

(*b*) if that date falls before the said time but after the time at which any amendment has taken effect in accordance with this section, as references to the latest edition published before the said date as affected by any amendments which have so taken effect before that date.

(7) In this section references to amendments of the British Pharmacopoeia shall be construed as including references to additions thereto and to deletions therefrom.

Registration fees.

24.—(1) Subject to the provisions of this section, the amount of any fee payable on provisional registration and, as from the date of the first determination of the Council under this subsection, the amount of any fee payable on registration shall be such as may be determined by the Council.

(2) Subject to the provisions of this section, the fee payable on provisional registration shall not exceed five guineas.

(3) Subject as aforesaid, the fee payable on registration shall—

(*a*) not exceed six guineas in the case of a person provisionally registered or registered by virtue of any such provision of the law of the Republic of Ireland as is referred to in subsection (2) of section seven of this Act,

(*b*) not exceed eleven guineas in the case of any other person.

(4) The Privy Council may by order direct that, as respects any fee payable after the coming into operation of the order, all or any of the limits specified in the two last foregoing subsections shall be increased or decreased to such extent as may be provided by the order.

Declaration of law as to reciprocal arrangements.

25.—(1) For the removal of doubt it is hereby declared that in section seventeen of the Medical Act, 1886 (which relates to reciprocal arrangements with countries affording privileges to registered medical practitioners of the United Kingdom) the reference to the registered medical practitioners of the United Kingdom does not include a reference to persons registered as Commonwealth or foreign practitioners.

(2) In Article 4 of Part I of the Schedule to the Medical and Dentists Acts Amendment Act, 1927, the reference to registration in the general register shall not include a reference to registration therein as a Commonwealth or foreign practitioner.

Amendment as to joint qualifying examinations.

26. The Royal College of Obstetricians and Gynaecologists may join with any one or more bodies in England or Wales, being either universities or medical corporations, or with any one or more such bodies in Scotland, in holding a joint qualifying examination for the purposes of section two of the Medical Act, 1886, so long as one at least of the other bodies is capable of granting a qualifying diploma in respect of medicine and one at least is capable of granting a qualifying diploma in respect of surgery; and accordingly for the purposes of paragraphs (*b*) and (*c*) of subsection (1) of section three of the said Act of 1886 (which provide for combinations of universities and medical corporations in the same part of the United Kingdom for the purposes of holding joint examinations) the said College shall be deemed to be a medical corporation within the meaning of that Act and to be situated in the same part of the United Kingdom as the other body or bodies in question.

Registration of Commonwealth diplomas in public health, etc.

27. Section twenty-one of the Medical Act, 1886 (which provides for the registration of diplomas for proficiency in sanitary science, public health or state medicine granted by certain bodies in the United Kingdom) shall have effect as if the reference therein to the United Kingdom included a reference to any area as respects which, by virtue of an Order in Council under section seventeen of the Medical Act, 1886, section eleven of that Act (which relates to the registration of practitioners with Commonwealth diplomas) is for the time being in force.

Amendment of s. 40 of Medical Act, 1858.

28. Section forty of the Medical Act, 1858 (which provides for the imposition of a penalty upon any person falsely pretending to be a registered person) shall have effect as if for the word "twenty" therein there were substituted the words "five hundred".

Restoration of names of licentiates of Apothecaries Society.

29. In section six of the Apothecaries Act, 1907 (which empowers the Apothecaries Society of London, with the consent in writing of the Council, to restore to the list of licentiates of the Society the names of persons whose names have been struck off the list) the words " with the consent in writing of the General Council " are hereby repealed.

Subsistence allowances for members of Council.

30. Section twelve of the Medical Act, 1858, and subsection (2) of section eight of the Medical Act, 1886 (which provide that members of the Council shall be paid such fees for attendance and such reasonable travelling expenses as are fixed under the said section twelve) shall have effect, and be deemed always to have had effect, as if the references to travelling expenses included references to subsistence allowances.

Extension of 11 & 12 Geo. 6. c.11.

31.—(1) The power conferred by section one of the Medical Practitioners and Pharmacists Act, 1947, to direct that persons of certain descriptions shall be registered as Commonwealth or foreign practitioners shall be extended in accordance with the following provisions of this section.

(2) Subsection (5) of the said section one (which provides that a direction under that section shall be given only in the case of a person resident in the United Kingdom, and so resident otherwise than for a temporary purpose) shall not apply in the case of a person who, on an application in that behalf under this section, satisfies the Council that at the time of the application he was employed in a medical capacity in the medical service of any colony, protectorate, protected state or United Kingdom trust territory.

(3) Section three of the said Act of 1947 (which provides for the registration of persons who have served in a medical capacity in His Majesty's forces overseas) shall have effect in the case of a person who on an application in that behalf under this section satisfies the Council—

(*a*) that at the date of the application he was employed as mentioned in the last foregoing subsection, and

(*b*) that he has been so employed, or partly so employed and partly employed in such service as is mentioned in subsection (1) of the said section three, continuously since a time before the eighteenth day of December, nineteen hundred and forty-eight,

as if he were included among the persons specified in the said subsection (1).

(4) Subject to the provisions of section five of the Act of 1947 (which relate to applications made out of time), the time for application for a direction under section one of the said Act of 1947, in the case of a person as respects whom such a direction may be given by virtue of this section, shall be a period of six months beginning with the passing of this Act.

(5) This section shall be construed as one with the said Act of 1947; and expressions used in this section and in the British Nationality Act, 1948, have the same meanings in this section as are assigned to them respectively by the last-mentioned Act.

Supplementary

Validity of proceedings of Council and Disciplinary Committee.

32. The validity of any proceeding of the Council or the Medical Disciplinary Committee shall not be affected by any vacancy among the members thereof or by any defect in the appointment of a member thereof.

Exercise of powers of Privy Council.

33. Section twenty-two of the Medical Act, 1886 (which provides for the manner of exercise of the powers of the Privy Council under that Act) shall have effect as if references in the said section twenty-two to that Act included references to this Act.

Rules and orders.

34.—(1) The powers conferred by this Act on the Lord Chancellor to make rules and on the Privy Council to make orders shall be exercisable by statutory instrument; and the Statutory Instruments Act, 1946, shall apply to all such powers and to instruments made thereunder.

(2) No order shall be made under subsection (1) of section two of this Act unless a draft thereof has been laid before Parliament and has been approved by resolution of each House of Parliament.

(3) Any statutory instrument made in the exercise of the powers conferred by this Act, other than the power conferred by the said subsection (1) or powers to make orders appointing a day, shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) Any power conferred by this Act to make an order, other than a power to make an order appointing a day, shall include power to vary or revoke the order by a subsequent order made in the like manner and subject to the like provisions.

Construction of references to registrar and registration.

35.—(1) References in section twenty-nine of the Medical Act, 1858, and sections nineteen to twenty-one of this Act to the registrar shall be construed as references to the registrar of the Council, and references therein to the register shall be construed as references to the general register.

(2) Where, in the case of a person registered or provisionally registered in the local register for Scotland or Ireland, the registrar of the Council makes any note in the general register or erases his name from or restores his name to the general register, the registrar shall forthwith send to the registrar of the Branch Council for Scotland or Ireland, as the case may be,

particulars of the note, erasure or entry for that branch registrar to make forthwith in the local register such amendment as may be required to bring it into conformity with the general register.

(3) Where, in the case of a person registered or provisionally registered in the local register for England, the registrar of the Council makes a note in, erases his name from or restores his name to the general register, the registrar shall forthwith make in the local register for England such amendment as aforesaid.

(4) References in this Act to registration shall, except where the context otherwise requires, be construed as references to registration under the Medical Acts; and for the purpose of assimilating the wording of references in those Acts to registration, the enactments specified in the Second Schedule to this Act shall be amended in manner specified in the second column of that Schedule:

Provided that (without prejudice to the provisions of section thirty-eight of the Interpretation Act, 1889, which relates to the effect of repeals) nothing in that Schedule shall prejudice the effect of any registration made before the passing of this Act, or any right or liability arising (whether before or after the passing of this Act) by reason of any such registration.

Interpretation.

36.—(1) In this Act the following expressions have the meanings hereby assigned to them respectively, that is to say—

"appointed day" means such day as the Privy Council may by order appoint, and different days may be appointed for the purposes of different provisions of this Act or for the purposes of the application of any such provision to different classes of case;

"Branch Council" means any of the branch councils constituted by section six of the Medical Act, 1858;

"Commonwealth or foreign diploma" means such a diploma as is mentioned in section eleven or twelve of the Medical Act, 1886;

"the Council" means the council established under section three of the Medical Act, 1858;

"diploma" has the same meaning as in the Medical Act, 1886;

"party", in relation to proceedings before the Medical Disciplinary Committee, means any person to whose registration the proceedings relate, or any person on whose complaint the proceedings are brought, or the Solicitor to the Council;

" provisional registration " means registration by virtue of section six of this Act, and " provisionally registered " shall be construed accordingly;

" qualifying diploma " means a diploma conferring, subject to compliance with the provisions of section two of the Medical Act, 1886, where that section applies, and in any case with the provisions of this Act, the right of registration;

" qualifying examination " means such an examination as is required by section two of the Medical Act, 1886.

(2) In this Act references to Wales shall be construed as including, and references to England shall be construed as not including, the county of Monmouth.

(3) References in this Act to any enactment shall, except where the context otherwise requires, be construed as references to that enactment as amended by any subsequent enactment, including this Act.

(4) References in any enactment to any provision amended by this Act shall, except where the context otherwise requires, be construed as references to that provision as so amended.

Application to Northern Ireland.

37.—(1) For the avoidance of doubt it is hereby declared that this Act extends to Northern Ireland.

(2) For the purposes of section six of the Government of Ireland Act, 1920, this Act shall be deemed to be an Act passed before the appointed day for the purposes of that Act, but nothing in this subsection shall be construed as extending the legislative powers of the Parliament of Northern Ireland under section four of the said Act of 1920.

(3) Without prejudice to the provisions of subsection (2) of section eighteen of the said Act of 1920 (which provides that the law for the time being in force as to the disqualification of members of the House of Commons shall apply to the Senate and House of Commons of Northern Ireland) so much of section twelve of this Act as amends section twelve of the Medical Act, 1858, in relation to members of the Council who are members of the House of Commons shall apply also in relation to members of the Council who are members of the Senate or House of Commons of Northern Ireland.

Short title and citation.

38.—(1) This Act may be cited as the Medical Act, 1950.

(2) This Act and so much of the Medical Practitioners and Pharmacists Act, 1947, as affects the Medical Acts shall be included among the Acts which together may be cited as the Medical Acts.

SCHEDULES

FIRST SCHEDULE

Section 6.

ENACTMENTS APPLICABLE TO PROVISIONAL REGISTRATION

Enactment applicable	*Subject of enactment*
Medical Act, 1858 (21 & 22 Vict. c. 90)—	
s. 14	Duty of registrar to keep the register correct.
s. 26	Evidence of qualification.
s. 27	Publication of register.
s. 29	Removal from register of persons guilty of offences.
s. 35	Exemption from jury service.
s. 38	Penalty for falsification.

SECOND SCHEDULE

Section 35.

AMENDMENT OF REFERENCES TO REGISTRATION

Enactment amended	*Amendment*
The Medical Act, 1858 21 & 22 Vict. c. 90. ...	In section fourteen, for the words " under this Act " there shall be substituted the words " under the Medical Acts "; in section fifteen, after the words " to be registered " where they first occur there shall be inserted the words " under the Medical Acts," and for the words " under this Act " there shall be substituted the words " under the Medical Acts "; in sections twenty-one, twenty-two, twenty-three and twenty-five, for the words " under this Act " there shall be substituted the words " under the Medical Acts "; in section twenty-seven, for the words " according to the provisions of this Act," in each place where they occur, and for the words " under the provisions of this Act " there shall be substituted the words " under the Medical Acts "; in sections thirty, thirty-two and thirty-four, for the words " under this Act " there shall be substituted the words " under the Medical Acts "; in section thirty-five, for the words " under the provisions of this Act " there shall be substituted the words " under the Medical Acts "; in sections thirty-six and thirty-seven, for the words " under this Act " there shall be substituted the words " under the Medical Acts ".

2ND SCH. —*cont.*

Enactment amended	*Amendment*
The Medical Acts Amendment Act, 1860. 23 & 24 Vict. c. 7.	In section one, for the words " under the provisions of the said first-recited Act " there shall be substituted the words " under the Medical Acts ".
The Medical Act, 1886 ... 49 & 50 Vict. c. 48.	In section eleven, for the words from " registered " to " medical register," there shall be substituted the words " registered under the Medical Acts as a Commonwealth practitioner "; in section twelve, for the words from " registered " to " medical register," there shall be substituted the words " registered under the Medical Acts as a foreign practitioner "; for section fourteen, there shall be substituted— " 14.—(1) Persons registered by virtue of this Part of this Act shall be registered in the general register, and that register shall contain a separate list of the names and addresses of the Commonwealth practitioners, and also a separate list of the names and addresses of the foreign practitioners, registered by virtue of this Part of this Act. (2) Each of the said lists shall be made out alphabetically according to the surnames "; In section fifteen, the word " medical," where it last occurs, is hereby repealed; In section twenty-one, the word " medical ", where it last occurs, and the word " said " are hereby repealed.
The Medical Practitioners and Pharmacists Act, 1947. 11 & 12 Geo. 6. c. 11.	In section one, in subsection (1) for the words " in the medical register under this section " there shall be substituted the words " under the Medical Acts by virtue of this section," in subsection (2) for the words " in the medical register " there shall be substituted the words " under the Medical Acts," in subsection (3) after the words " shall be " there shall be inserted the words " in the general register, and shall be," and subsection (4) is hereby repealed; in subsection (6) of section two, in section five, in section six and in subsection (1) of section seven for the words " under section one of this Act " there shall be substituted the words " by virtue of section one of this Act," and in section six, for the words " under

2ND SCH. —*cont.*

Enactment amended	*Amendment*
The Medical Practitioners and Pharmacists Act, 1947—*cont.*	section eleven" there shall be substituted the words "by virtue of section eleven"; in section eight, in subsection (1) for the words "in the medical register" in each place in which they occur there shall be substituted the words "under the Medical Acts," and for the words "under this section" there shall be substituted the words "by virtue of this section," in subsections (2), (3) and (4) for the word "under" in each place in which it occurs there shall be substituted the words "by virtue of," in subsection (4) after the words "shall be" there shall be inserted the words "in the general register, and shall be," and in subsection (5) for the words from the beginning to "in relation" there shall be substituted the words "Registration by virtue of this section shall have effect," and for the word "under" there shall be substituted the words "by virtue of".

Table of Statutes referred to in this Act.

Short Title	Session and Chapter
Judicial Committee Act, 1833	3 & 4 Will. 4. c. 41.
Medical Act, 1858	21 & 22 Vict. c. 90.
Medical Acts Amendment Act, 1860	23 & 24 Vict. c. 7.
Medical Council Act, 1862	25 & 26 Vict. c. 91.
Medical Act, 1886	49 & 50 Vict. c. 48.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Apothecaries Act, 1907	7 Edw. 7. cxxii.
Government of Ireland Act, 1920	10 & 11 Geo. 5. c. 67.
Supreme Court of Judicature (Consolidation) Act, 1925	15 & 16 Geo. 5. c. 49.
Medical and Dentists Acts Amendment Act, 1927	17 & 18 Geo. 5. c. 39.
Pharmacy and Medicines Act, 1941	4 & 5 Geo. 6. c. 42.
Statutory Instruments Act, 1946	9 & 10 Geo. 6. c. 36.
National Health Service Act, 1946	9 & 10 Geo. 6. c. 81.
National Health Service (Scotland) Act, 1947 ...	10 & 11 Geo. 6. c. 27.
Medical Practitioners and Pharmacists Act, 1947	11 & 12 Geo. 6. c. 11.
British Nationality Act, 1948	11 & 12 Geo. 6. c. 56.