

CHAPTER 76

An Act to consolidate certain enactments relating to medical practitioners with corrections and improvements made under the Consolidation of Enactments (Procedure) Act, 1949. [5th November, 1956]

BE it enacted by the Queen'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:—

PART I

THE GENERAL MEDICAL COUNCIL AND THE BRANCH COUNCILS

The General Medical Council.

1.—(1) There shall continue to be a council, called the General Medical Council, consisting, subject to the provisions of this Act, of—

(*a*) eight members (hereinafter referred to as " nominated members ") nominated by Her Majesty,

(*b*) twenty-eight members (hereinafter referred to as " appointed members ") chosen by the bodies hereinafter mentioned, and

(*c*) eleven members (hereinafter referred to as " elected members ") elected by medical practitioners as hereinafter provided.

(2) The said council (hereinafter referred to as " the General Council ") shall be a body corporate by the name of the General Medical Council, having perpetual succession and a common seal with power to hold land for the purposes of this Act without licence in mortmain.

(3) The provisions in that behalf of the First Schedule to this Act shall have effect as to the proceedings of the General Council and other matters relating to the Council.

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Nominated members.

2.—(1) Of the nominated members, five shall be persons who are fully registered and three shall be persons who are neither fully registered nor holders of any qualification registrable under this Act.

(2) Of the said five nominated members three shall be nominated for England and Wales, one for Scotland and one for Northern Ireland; and of the said three members two shall be nominated for England and Wales and one for Scotland.

(3) The members nominated for England and Wales and for Scotland shall be nominated on the advice of the Privy Council, and the member nominated for Northern Ireland shall be nominated by Her Majesty in Council on the recommendation of the Governor of Northern Ireland.

(4) Nomination shall be for a term not exceeding five years, and a person may be nominated to be a member of the General Council who has previously been a member thereof.

(5) A nominated member may at any time resign his office by letter addressed to the President of the General Council.

(6) Upon the death or resignation of a nominated member, a person shall be nominated to be a member in his place in accordance with the provisions applying to the nomination of the person dying or retiring.

Appointed members.

3.—(1) Subject to the provisions of this section one of the appointed members of the General Council shall be chosen by each of the following bodies, namely, the Universities of Oxford, Cambridge, Durham and London, the Victoria University, Manchester, the Universities of Birmingham, Liverpool, Leeds, Sheffield, Bristol, Wales, St. Andrews, Glasgow, Aberdeen and Edinburgh, the Queen's University of Belfast, the University of Dublin, the National University of Ireland, the Royal College of Physicians of London, the Royal College of Physicians of Edinburgh, the Royal College of Physicians of Ireland, the Royal College of Surgeons of England, the Royal College of Surgeons of Edinburgh, the Royal Faculty of Physicians and Surgeons of Glasgow, the Royal College of Surgeons in Ireland, the Royal College of Obstetricians and Gynaecologists, the Society of Apothecaries of London and the Apothecaries' Hall, Dublin.

(2) Where at any time it appears to the General Council that a university or other body situated in England or Wales, or situated in Scotland, or situated in Ireland, being a body—

(*a*) having power to grant a diploma in respect of medicine, surgery or midwifery, or any of them, or any branch of medicine or surgery, but

(*b*) not having for the time being power to choose an appointed member, either alone or jointly with another body,

is of sufficient importance to be worthy of such a privilege, the General Council may represent to the Privy Council that it is expedient to confer on the university or other body power to choose an appointed member, either alone or jointly with another body or bodies similarly situated and having power to grant such a diploma as aforesaid.

In this subsection the expression "diploma" includes any degree, fellowship, membership, licence, authority to practise, letters testimonial, certificate or other status or document.

(3) Where at any time it appears to the General Council that a university or other body which for the time being has power to choose an appointed member jointly with another body or bodies is of sufficient importance to be worthy of such a privilege, the General Council may represent to the Privy Council that it is expedient to confer on the university or body power to choose an appointed member by itself.

(4) Where it appears to the General Council that a university or other body having power to choose an appointed member, either alone or jointly with another body or bodies, has so diminished in importance as not to be entitled to that privilege, the General Council may represent to the Privy Council that it is expedient that the university or body should cease to have the power of choosing an appointed member, or should cease to have the power of choosing an appointed member by itself but have power to choose an appointed member jointly with another body or bodies.

(5) Her Majesty may by Order in Council give effect to any representation made to the Privy Council under this section, and any such Order may make such amendments in paragraph (*b*) of subsection (1) of section one of this Act and in subsection (1) of this section as are necessary for giving effect to the Order.

A draft of any such Order shall be laid before Parliament.

(6) A person shall not be capable of being chosen as an appointed member by a body other than a university, or by two or more bodies any of which is not a university, unless he is fully registered.

(7) The choosing of an appointed member shall be for a term not exceeding five years, and a person may be chosen to be an appointed member who has previously been a member of the General Council.

(8) An appointed member may at any time resign his office by letter addressed to the President of the General Council.

(9) Upon the death or resignation of an appointed member a person shall be chosen to be a member in his place in accordance with the provisions applying to the choosing of the person dying or retiring.

PART I —*cont.*

Elected members.

4.—(1) Subject to the provisions of this section—

(*a*) eight of the elected members shall be elected by the fully registered persons who are resident in England and Wales, and one of those eight members shall be elected as a person resident in Wales;

(*b*) two of the elected members shall be elected by the fully registered persons who are resident in Scotland; and

(*c*) one of the elected members shall be elected by the fully registered persons who are resident in Ireland.

(2) The General Council may at any time represent to the Privy Council that it is expedient to confer on the fully registered persons resident in England and Wales, on those resident in Scotland, or on those resident in Ireland, the power of returning an additional member to the General Council; and—

(*a*) Her Majesty may by Order in Council give effect to any such representations,

(*b*) any such Order may make such amendments in paragraph (*c*) of subsection (1) of section one of this Act and in subsection (1) of this section as are necessary for giving effect to the Order,

(*c*) a draft of any such Order shall be laid before Parliament.

(3) A person to be elected a member of the General Council must be fully registered.

(4) An elected member may at any time resign his office by letter addressed to the President of the General Council.

(5) Subject as hereinafter provided, the term of office of elected members shall be five years.

(6) Where an elected member dies before completion of his term of office, or resigns, a person shall be elected in his place to hold office for the residue of the term for which his predecessor might have held office:

Provided that on the death or resignation of an elected member within twelve months before the date on which his term of office would have come to an end by effluxion of time, the vacancy shall not be filled for the residue of that term.

(7) A person may be elected a member of the General Council who has previously been a member thereof.

(8) The provisions of the Second Schedule to this Act shall have effect as to the procedure for elections, the time for the beginning of an elected member's term, and the defraying of the expenses of and incidental to elections.

PART I —*cont.*

President of the General Council.

5.—(1) There shall continue to be a President of the General Council elected by the Council from among their number.

(2) The President shall be elected for a term not extending beyond the expiration of the term for which he has been nominated, chosen or elected to be a member of the General Council.

Branch councils.

6.—(1) There shall continue to be branch councils for England and Wales, for Scotland, and for Ireland.

(2) Each branch council shall consist of the President of the General Council and of the nominated members nominated for the area for which the branch council subsists, the appointed members chosen by universities or other bodies in that area, and the elected members elected by the practitioners resident in that area.

(3) There shall be delegated to the branch councils such of the powers and duties vested in the General Council as the Council may see fit, other than the power to make representations under subsection (1) of section thirteen or under section fourteen of this Act.

(4) The provisions in that behalf of the First Schedule to this Act shall have effect as to the officers and servants of the branch councils and the expenses and accounts of those councils.

PART II

MEDICAL EDUCATION AND REGISTRATION: PERSONS QUALIFYING IN ENGLAND, WALES, SCOTLAND OR IRELAND

Registration of medical practitioners.

7.—(1) Subject to the provisions of this Act, any person who—

(*a*) holds one or more primary qualifications, and

(*b*) has passed a qualifying examination, and

(*c*) satisfies the requirements of this Part of this Act as to experience,

shall be entitled to be registered under this section as a fully registered medical practitioner and to have his primary qualification or qualifications registered thereunder.

(2) In this Act the expression " primary qualification " means any of the qualifications specified in the second column of the Third Schedule to this Act granted by a university or other body specified in relation to that qualification in the first column of that Schedule.

PART II —*cont.*

(3) A person holding a primary qualification granted by a university or other body in the Republic of Ireland shall be entitled to be registered under this section notwithstanding that he does not satisfy the requirements of this Part of this Act as to experience if before the first day of January, nineteen hundred and fifty-three he was 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 the said requirements would be entitled to be registered under this section.

Additional qualifications and additional primary qualifications.

8.—(1) A person holding any of the qualifications specified in the third column of the Third Schedule to this Act granted by a university or other body specified in relation to that qualification in the first column of that Schedule shall if registered under the last foregoing section or on becoming so registered be entitled to have the qualification registered in substitution for, or in addition to, any qualifications previously so registered.

A qualification specified and granted as aforesaid is hereinafter referred to as an "additional qualification".

(2) An additional qualification shall confer on the holder thereof the same rights to registration under the last foregoing section as a primary qualification.

(3) A person, being fully registered, who has acquired any primary qualification in addition to the qualification by virtue of which he was registered shall be entitled to have it registered in addition thereto.

(4) Subsection (1) of this section shall apply to a qualification recognised for the purposes of section eighteen of this Act and granted in a Commonwealth country or foreign country to which Part III of this Act applies, and to a qualification registrable by virtue of subsection (2) of section twenty-one of this Act, as the said subsection (1) applies to an additional qualification.

Appointment of visitors of medical schools.

9.—(1) The General 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 university or other body specified in the first column of the Third Schedule to this Act.

(2) It shall be the duty of visitors appointed under this section to report to the General 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.

PART II —*cont.*

(3) On the receipt of any report of a visitor under this section the General Council shall send a copy of the report to the body under whose direction the instruction is given, and on the receipt of any such copy that 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 General 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.

Standard of proficiency for qualification.

10.—(1) The standard of proficiency required from candidates at a qualifying examination shall be such as sufficiently to guarantee the possession of the knowledge and skill requisite for the efficient practice of medicine, surgery and midwifery.

(2) A body granting any primary or additional qualification shall from time to time, when so required by the General Council, furnish the Council with such information as the Council may require as to—

(*a*) the courses of study and examinations to be gone through in order to obtain the qualification;

(*b*) the ages at which such courses of study and examinations are required to be gone through;

(*c*) the age at which the qualification is granted; and

(*d*) generally the requisites for obtaining the qualification.

(3) It shall be the duty of the General Council to secure the maintenance of the standard of proficiency specified in subsection (1) of this section; and for that purpose the General Council may appoint such number of inspectors as they may determine, and the inspectors shall attend, as the General Council may direct, all or any of the qualifying examinations held by any of the universities and other bodies specified in the first column of the Third Schedule to this Act.

(4) Any member of the General Council or person deputed for that purpose by the Council, or by any branch council, may attend and be present at any examination to be gone through in order to obtain a primary or additional qualification.

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(5) Inspectors appointed under subsection (3) of this section shall not interfere with the conduct of any examination, but it shall be their duty to report to the General Council their opinion as to the sufficiency of every examination which they attend, and any other matters relating to such examinations which the General Council may require them to report.

(6) The General Council shall forward a copy of every report of the inspectors to the body or each of the bodies who held the examination to which the report relates and shall also forward a copy of the report, together with any observations thereon made by the said body or bodies, to the Privy Council.

(7) An inspector appointed under subsection (3) of this section shall receive such remuneration, to be paid as part of the expenses of the General Council, as the Council, with the sanction of the Privy Council, may determine.

What examinations qualifying.

11.—(1) Subject to the provisions of this Act, a qualifying examination for the purposes of this Part of this Act is an examination in medicine, surgery and midwifery held for the purpose of granting one or more qualifications registrable under this Part of this Act and so held by any of the following:—

(*a*) the Universities of Oxford, Cambridge, Durham and London, the Victoria University, Manchester, the Universities of Birmingham, Liverpool, Leeds, Sheffield, Bristol, Wales, St. Andrews, Glasgow, Aberdeen and Edinburgh, the Queen's University of Belfast, the University of Dublin and the National University of Ireland;

(*b*) any body in England, Wales, Scotland or Ireland (not being a university) which at the twenty-fifth day of June, eighteen hundred and eighty-six was legally competent to grant one or more qualifications in respect of medicine and surgery conferring the right of registration under the Medical Act, 1858;

(*c*) a combination of two or more of the said universities;

(*d*) a combination of two or more of the bodies, other than universities, specified in the first column of the Third Schedule to this Act, being a combination including one body at least entitled to grant a qualification in medicine registrable under this Part of this Act and one at least entitled to grant a qualification in surgery so registrable;

(*e*) a combination of one or more of the said universities with one or more of the bodies mentioned in the last foregoing paragraph;

PART II —*cont.*

(*f*) a combination of the Royal College of Obstetricians and Gynaecologists with any of the universities or bodies mentioned in paragraph (*a*) or (*b*) of this subsection or with such a combination as is mentioned in paragraph (*c*), (*d*) or (*e*) thereof.

(2) An examination held by such a combination as is mentioned in paragraph (*c*), (*d*) or (*e*) of the last foregoing subsection shall not be a qualifying examination unless the bodies combining are in the same area; and an examination held by a combination which includes the Royal College of Obstetricians and Gynaecologists and two or more other bodies shall not be a qualifying examination unless both or all of the other bodies are in the same area in Great Britain and unless one at least of the other bodies is entitled to grant a qualification in medicine registrable under this Part of this Act and one at least is entitled to grant a qualification in surgery so registrable.

For the purposes of this subsection an area means England and Wales, Scotland or Ireland.

(3) In the event of a new university being at any time created in the Republic of Ireland by Act of the Oireachtas of the Republic with power to hold qualifying examinations in medicine, surgery and midwifery for the purpose of granting medical diplomas conferring the right of registration in the Republic of Ireland in pursuance of the law of the Republic known as the Medical Practitioners Act, 1927, such examinations shall be qualifying examinations for the purposes of this Act if Her Majesty on the recommendation of the General Council is pleased by Order in Council to make a declaration to that effect.

(4) If any of the bodies, other than universities, specified in the first column of the Third Schedule to this Act represents to the General Council that it is unable to enter into combination for the purpose of holding qualifying examinations, and the General Council are satisfied that the body has used its best endeavours to enter into combination as aforesaid and is unable to do so on reasonable terms:—

(*a*) the General Council may from time to time, if they think fit, on the application of the body appoint any number of examiners (hereinafter referred to as assistant examiners) to assist at the examinations held by the body for the purpose of granting primary or additional qualifications;

(*b*) it shall be the duty of assistant examiners to secure at the examinations the maintenance of the standard of proficiency in medicine, surgery and midwifery required from candidates at qualifying examinations, and for that purpose assistant examiners shall have such powers and perform such duties in the conduct of examinations as the General Council may from time to time by order prescribe;

PART II —*cont.*

(*c*) assistant examiners shall receive such remuneration, to be paid by the body whose examinations they assist, as the General Council determine,

and any examination held subject to the provisions of this subsection shall be a qualifying examination for the purposes of this Part of this Act.

Nothing in any Act or charter relating to a body shall prevent its admitting to its examinations assistant examiners appointed under this subsection, or its conducting its examinations in accordance with the requirements of this subsection and of any orders made thereunder.

Combined examinations.

12.—(1) Any two or more of the universities and other bodies granting primary or additional qualifications may, with the sanction and under the directions of the General Council, unite or co-operate in conducting examinations held for the purpose of granting such qualifications.

(2) The exercise of the powers conferred by the last foregoing subsection shall, in the case of the Society of Apothecaries of London, be subject not only to the sanction and directions of the General Council but also to the approval of the Privy Council, which may at any time be withdrawn, but subject as aforesaid those powers (including the appointment of examiners) may be exercised by the said Society notwithstanding that the examiners appointed may be more or less than twelve in number, and notwithstanding that the fees to be payable by candidates and for certificates or licences to practise, or any of such fees, may be greater or less than the fees authorised or required to be taken or paid by the Apothecaries Act, 1815, and notwithstanding any other provisions in that Act which apart from this section might prevent or hinder the said Society from availing themselves of the right to unite and co-operate as aforesaid or from exercising any of the powers intended to be conferred on the said Society by the Medical Act, 1858.

Powers of Privy Council where courses of study or examinations for registrable qualifications insufficient.

13.—(1) If at any time it appears to the General Council that the course of study and examinations to be gone through in order to obtain a primary or additional qualification are not such as to secure the possession by persons obtaining the qualification of the requisite knowledge and skill for the efficient practice of their profession, the General Council may make representations to that effect to the Privy Council; and—

(*a*) on any such representations the Privy Council may, if they see fit, order that a qualification granted, after such time as may be specified in the order, in pursuance of the course of study and examinations to which the order relates shall not be a qualification registrable under this Part of this Act; and

(*b*) where an order is made under this subsection, no person shall be entitled to be so registered by virtue of any qualification specified in the order and granted after such time as may be so specified.

(2) If at any time it appears to the General Council that the standard of proficiency in medicine, surgery and midwifery, or in any of those subjects or any branch thereof, required from candidates at any qualifying examination is insufficient, the General Council shall make representations to that effect to the Privy Council, and the Privy Council, if they think fit, after considering the representations and any objections thereto made by any university or other body or bodies to which the representations relate, may by order declare that the examinations held by that body or bodies shall be deemed not to be qualifying examinations for the purposes of this Act.

(3) A qualification granted on the passing of an examination to which an order under subsection (2) of this section relates, and granted while the order is in force, shall not entitle the holder thereof to be registered under this Part of this Act; and while such an order is in force—

(*a*) the body or bodies to which the order relates shall not be entitled to choose an appointed member of the General Council, either separately or in combination with any other body;

(*b*) any appointed member chosen by the body to which the order relates shall, unless chosen by that body in combination with another body in relation to which no order under this section is for the time being in force, be suspended from taking part in the proceedings of the General Council.

(4) An order under this section—

(*a*) if made under subsection (1) thereof, may be revoked by Her Majesty with the advice of the Privy Council if it is made to appear to Her Majesty, upon further representations from the General Council or otherwise, that the university or other body to which the order relates has made effectual provision, to the satisfaction of the General Council, for the improvement of the course of study or examinations to which the order relates or the mode of conducting those examinations;

(*b*) if made under subsection (2) of this section, may be revoked as aforesaid if upon further representation from the General Council or from any university or other body to which the order relates it seems to Her Majesty expedient so to do;

but the revocation of an order made under subsection (1) of this section shall not entitle any person to be registered by virtue of a qualification granted before the revocation.

PART II
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Candidates not to be compelled to adopt or reject particular theories of medicine or surgery.

14.—(1) If it appears to the General Council that any university or other body specified in the first column of the Third Schedule to this Act has attempted to impose upon any candidate offering himself for examination an obligation to adopt, or to refrain from adopting, the practice of any particular theory of medicine or surgery as a test or condition of admitting him to examination or of granting a certificate, the General Council may make representations to that effect to the Privy Council.

(2) On any such representations the Privy Council may direct the body to desist from such attempts; and if the body does not comply with the direction the Privy Council may order that no qualification granted by the body shall be registrable under this Part of this Act so long as the body continues to attempt to impose such an obligation as aforesaid.

Experience required for full registration.

15.—(1) The requirements as to experience mentioned in section seven of this Act are the following.

(2) A person must, after passing a qualifying examination, have been engaged for the prescribed period in employment in a resident medical capacity in one or more approved hospitals or approved institutions and have obtained a certificate under this section.

(3) A person who has been employed as aforesaid may apply to his examining body for a certificate under this section, and if that body are satisfied—

(*a*) that during the time he has been employed as aforesaid he has been engaged for the prescribed period or minimum period in medicine and for the prescribed period or minimum period in surgery, and

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

they shall grant him a certificate in the prescribed form that they are satisfied as aforesaid.

(4) Where an applicant for a certificate under this section, while employed as mentioned in subsection (2) thereof, has been engaged in midwifery, the time during which he was so engaged, not exceeding such period as may be prescribed, shall be treated for the purposes of paragraph (*a*) of the last foregoing subsection either as time spent in medicine or as time spent in surgery or partly as the one and partly as the other, as the applicant may elect.

(5) Where during any period while an applicant for such a certificate as aforesaid has been employed as aforesaid—

(*a*) he has been engaged both in medicine and also in surgery or midwifery or both, or

(*b*) he has been engaged in surgery and also 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 his examining body.

(6) Where, on an application in that behalf, a person satisfies the General 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 this section, 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 for those purposes) 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.

Where the General Council give a direction under this subsection as respects any person they shall give notice of the direction to his examining body.

(7) References in this section to a person's examining body shall be construed as follows:—

(*a*) where he claims registration by virtue of a qualification granted on passing a qualifying examination held by two or more bodies jointly, such references shall be construed as references to those bodies acting jointly;

(*b*) subject as aforesaid, such references shall be construed as references to the body granting the qualification by virtue of which he claims registration or, where he is entitled to claim registration by virtue of two or more qualifications, such references shall be construed as references to the body granting such one of those qualifications as he may choose.

(8) 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 body specified in the first column of the Third Schedule to this Act, so however that in relation to a person having a registrable qualification granted by a university or other body in the Republic of Ireland the said expression means approved for the time being for the purposes of this section by the Medical Registration Council constituted under the law of the Republic of Ireland or a body acting on behalf of that Council;

the expression "prescribed" means prescribed by regulations of the General Council; and

PART II —*cont.*

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 employed 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.

(9) Regulations of the General Council made under subsection (2) of this section shall not have effect until approved by order of the Privy Council.

(10) The power to make orders conferred by the last foregoing subsection shall be exercisable by statutory instrument and shall include power to vary or revoke any such order.

(11) No order shall be made under the said subsection unless a draft thereof has been laid before Parliament and has been approved by resolution of each House of Parliament.

Special provisions as to employment in Health Centres.

16.—(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 fully 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 General 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 (3) of the last foregoing section shall not exceed such period as may be specified in the regulations.

(4) In relation to persons holding qualifications registrable under this Part of this Act granted by a university or other body in the Republic of Ireland this section shall have effect subject to the following modifications:—

(*a*) the references in subsection (1) to centres provided under the enactments specified therein shall include a reference to health centres provided under the law of the Republic of Ireland;

(*b*) subsection (2) 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 Medical Registration Council constituted under the said law, or a body acting on behalf of that Council, to correspond to the employment specified as aforesaid.

Provisional registration.

17.—(1) The following provisions shall have effect for enabling persons desirous of obtaining certificates under section fifteen of this Act to be employed as mentioned in subsection (2) of that section.

(2) A person who apart from any requirement as to experience would by virtue of any qualification or qualifications held by him be entitled to be registered under section seven of this Act shall, on production of the proper evidence that he has been selected for such employment as is mentioned in subsection (2) of section fifteen of this Act, be entitled to be registered provisionally under this section and to have the said qualification or qualifications registered thereunder.

(3) A person provisionally registered under this section shall be deemed to be registered under section seven of this Act as a fully registered medical practitioner so far as is necessary to enable him to be engaged in employment in a resident medical capacity (within the meaning of section fifteen of this Act) in one or more approved hospitals or approved institutions (within the meaning of that section) and so far as is provided under paragraph (*c*) of subsection (3) of section six of the Medical Act, 1950, but not further.

(4) A person holding a qualification registrable under this Part of this Act and granted by a university or other body in the Republic of Ireland shall not be provisionally registered unless he is registered by virtue of provisions of the law of the Republic of Ireland made for purposes similar to those of the foregoing provisions of this section.

PART III

REGISTRATION OF COMMONWEALTH AND FOREIGN PRACTITIONERS

Registration of Commonwealth and foreign practitioners.

18.—(1) Subject to the provisions of this Act, any person who shows to the satisfaction of the registrar of the General Council—

(*a*) that he holds some recognised qualification or qualifications granted in a Commonwealth country to which this Part of this Act applies, or in a foreign country to which this Part of this Act applies, and

(*b*) that he is of good character, and

(*c*) that he is by law entitled to practise medicine, surgery and midwifery in the country where his said qualification or qualifications were granted,

and who satisfies the requirements of this Part of this Act as to experience shall be entitled to be registered under this section as a fully registered medical practitioner and to have his said qualification or qualifications registered thereunder.

(2) Registration under this section if by virtue of a qualification or qualifications granted in a Commonwealth country shall be registration as a Commonwealth practitioner, and if by virtue of a qualification or qualifications granted in a foreign country shall be registration as a foreign practitioner, and a person entitled to be registered under this section both as a Commonwealth and as a foreign practitioner may be registered in both ways.

(3) A person shall not be entitled to be registered under this section by virtue of any qualification or qualifications granted in a Commonwealth country unless he proves to the satisfaction of the registrar of the General Council either—

(*a*) that he was granted the qualification or qualifications at a time when he was not domiciled in the United Kingdom or the Republic of Ireland, or

(*b*) that he was granted it or them in the course of a period of not less than five years during the whole of which he resided out of the United Kingdom and the Republic of Ireland, or

(*c*) that he was practising medicine or surgery or a branch of medicine or surgery in the United Kingdom or the Republic of Ireland on the prescribed day, and that he had continuously practised it, either there or elsewhere, for a period of not less than ten years immediately preceding the prescribed day.

(4) A person shall not be entitled to be registered under this section by virtue of any qualification or qualifications granted in a foreign country unless he proves to the satisfaction of the

registrar of the General Council either that he is not a British subject or that, being a British subject, the condition specified in paragraph (*a*), (*b*) or (*c*) of the last foregoing subsection is fulfilled in his case.

(5) In this section the expression " the prescribed day ", in relation to a qualification granted in any country, means the day on which that country becomes a country to which this Part of this Act applies.

(6) In this Part of this Act, except where the context otherwise requires, the expression " qualification " means any diploma, degree, fellowship, membership, licence, authority to practise, letters testimonial, certificate or other status or document granted—

(*a*) in respect of medicine, surgery and midwifery or any of them, or any branch of medicine or surgery,

(*b*) by any university, corporation, college or other body, or by any department of, or persons acting under the authority of, the government of any country or place within or without the Commonwealth.

Countries to which Part III applies.

19.—(1) If Her Majesty is of opinion that any part of the Commonwealth outside the United Kingdom, or any foreign country, affords, to persons registered under section seven of this Act, such privileges of practising there as to Her Majesty may seem just, Her Majesty may by Order in Council declare that as from such date as may be specified in the Order the said part of the Commonwealth or foreign country shall be a Commonwealth country or, as the case may be, a foreign country to which this Part of this Act applies.

(2) An Order under this section may be revoked or renewed by a subsequent Order of Her Majesty in Council, but any such revocation shall not prejudice the rights of persons already registered.

Recognition of Commonwealth and foreign qualifications.

20. For the purposes of section eighteen of this Act a recognised qualification is a qualification recognised for those purposes for the time being by the General Council as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of medicine, surgery and midwifery.

Registration of further qualifications.

21.—(1) A person registered under section eighteen of this Act who obtains any qualification recognised for the purposes of that section and granted in a Commonwealth or foreign country to which this Part of this Act applies shall be entitled to have the qualification registered.

(2) A person holding any other qualification granted as aforesaid which the General Council determine ought to be registrable by virtue of this subsection as a further qualification shall,

PART III —*cont.*

if registered under section eighteen of this Act or on becoming so registered, be entitled to have the qualification registered.

(3) Subsection (1) of section eight of this Act shall apply to persons registered or becoming registered under the said section eighteen as it applies to persons registered or becoming registered under section seven of this Act.

Experience required for full registration of Commonwealth and foreign practitioners.

22.—(1) The requirements as to experience mentioned in subsection (1) of section eighteen of this Act are the following.

(2) The General Council must be satisfied that the person claiming registration—

(*a*) has been employed as mentioned in subsection (2) of section fifteen of this Act and satisfies the conditions specified in paragraphs (*a*) and (*b*) of subsection (3) of that section; or

(*b*) has rendered satisfactory service in an appointment or appointments (whether within or outside Her 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 fifteen of this Act; or

(*c*) has otherwise acquired such experience as aforesaid.

(3) Subsection (6) of section fifteen of this Act shall apply to a person prevented from embarking on, or completing, a period of experience required for the purposes of this section as it applies to a person prevented from embarking on, or completing, a period of experience required for the purposes of the said section fifteen.

Provisional registration of Commonwealth and foreign practitioners.

23.—(1) The following provisions shall have effect for enabling persons desirous of satisfying the General Council of the matters specified in subsection (2) of the last foregoing section to be employed as mentioned in subsection (2) of section fifteen of this Act.

(2) A person who would be entitled, apart from any requirement as to experience, to be registered under section eighteen of this Act as a Commonwealth or as a foreign practitioner shall, on production of the proper evidence that he has been selected for such employment as is mentioned in subsection (2) of section fifteen of this Act, be entitled to be so registered provisionally under this section and to have registered thereunder the qualification or qualifications held by him by virtue of which he would be entitled to be registered as aforesaid.

(3) Subsections (3) and (4) of section seventeen of this Act shall apply to provisional registration under this section as they apply to provisional registration under the said section seventeen, but with the substitution for the reference to section seven of this Act of a reference to section eighteen thereof.

Appeal against refusal of registration.

24.—(1) If—

(*a*) a person seeking registration under section eighteen of this Act is refused registration on any ground other than that the qualification or qualifications held by him is or are not recognised for the purposes of the said section eighteen or that he does not satisfy the requirements of this Part of this Act as to experience, or

(*b*) a person seeking provisional registration under the last foregoing section is refused registration on any ground other than that the qualification or qualifications held by him is or are not recognised as aforesaid or that he has failed to produce the evidence required by subsection (2) of the last foregoing section,

the registrar shall, if required to do so, state in writing the reason for the refusal and the person refused registration may appeal to the Privy Council.

(2) On any such appeal the Privy Council, after communication with the General Council, may dismiss the appeal or may give a direction to the General Council that the appellant is to be treated as having proved or shown the matters in question.

Temporary registration, for employment in hospitals in United Kingdom, of persons with Commonwealth or foreign qualifications.

25.—(1) Where a person satisfies the General Council—

(*a*) that he is or intends to be in the United Kingdom temporarily for the purpose of employment in the capacity of a practitioner of medicine, surgery or midwifery in a hospital or other institution approved by the Council for the purposes of this section, and

(*b*) that he holds, has held, or has passed the examinations necessary for obtaining, some Commonwealth or foreign qualification or qualifications recognised for the time being by the General Council for the purposes of this section as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of medicine, surgery and midwifery,

the General Council may if they think fit give a direction that he shall be registered under this section.

(2) Registration of a person under this section shall continue only while he is in such employment as is mentioned in the last foregoing subsection, and on its termination he shall cease to be registered under this section.

PART III —*cont.*

(3) In case of doubt, the decision of the General Council as to the termination of a person's employment shall be conclusive for the purposes of the last foregoing subsection.

(4) A person registered under this section shall, in relation to employment as mentioned in paragraph (*a*) of subsection (1) of this section, and to things done and omitted in the course thereof, be treated as registered under section eighteen of this Act as a fully registered medical practitioner, but in relation to other matters shall be treated as not so registered.

(5) A person registered under this section shall be registered as a Commonwealth practitioner if the recognised qualification or qualifications which he holds or has held, or for the obtaining of which he has passed the necessary examinations, were granted or are normally granted at a place within the Commonwealth, in a British protectorate, or in any other country or territory under Her Majesty's protection or suzerainty or in which Her Majesty has for the time being jurisdiction, and otherwise shall be registered as a foreign practitioner:

Provided that a person entitled to be registered under this section both as a Commonwealth and as a foreign practitioner may be registered in both ways.

Power of Privy Council to direct recognition of qualifications.

26. Where for the purposes of section eighteen of this Act or of the last foregoing section the General Council have refused to recognise any qualification as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of medicine, surgery and midwifery, the Privy Council, on application being made to them, may if they think fit, after considering the application and after communication with the General Council, order the General Council so to recognise the qualification.

PART IV

PRIVILEGES OF REGISTERED PRACTITIONERS

Recovery of fees.

27.—(1) No person shall be entitled to recover any charge in any court of law for any medical or surgical advice or attendance, or for the performance of any operation, or for any medicine which he shall have both prescribed and supplied, unless he shall prove upon the trial that he is fully registered.

(2) Where a practitioner is a fellow of a college of physicians, fellows of which are prohibited by byelaw from recovering by law their expenses, charges or fees, then notwithstanding that he is fully registered the prohibitory byelaw, so long as it is in force, may be pleaded in bar of any legal proceedings instituted by him for the recovery of expenses, charges or fees.

PART IV —*cont.*

Appointments not to be held except by fully registered persons.

28.—(1) Subject to the provisions of this section, no person, not being fully registered, shall hold any appointment as physician, surgeon or other medical officer—

(*a*) in the naval, military or air service,

(*b*) in any emigrant or other vessel,

(*c*) in any hospital or other place for the reception of persons of unsound mind, or in any other hospital, infirmary or dispensary not supported wholly by voluntary contributions,

(*d*) in any prison, or

(*e*) in any other public establishment, body or institution,

or to any friendly or other society for providing mutual relief in sickness, infirmity or old age.

(2) Nothing in this section shall prevent any person, not being a British subject, from being and acting as the resident physician or medical officer of any hospital established exclusively for the relief of foreigners in sickness, so long as he—

(*a*) has obtained from a foreign university a degree or diploma of doctor in medicine and has passed the regular examinations entitling him to practise medicine in his own country, and

(*b*) is engaged in no medical practice except as such a resident physician or medical officer.

(3) Nothing in this section shall prevent a person holding any qualification (within the meaning of Part III of this Act) entitling him to practise medicine or surgery in any part of the Commonwealth as respects which an order under section nineteen of this Act is for the time being in force from holding an appointment as a medical officer in any vessel registered in that part of the Commonwealth.

Certificates invalid if not by fully registered practitioner.

29. A certificate required by any enactment, whether passed before or after the commencement of this Act, from any physician, surgeon, licentiate in medicine and surgery or other medical practitioner shall not be valid unless the person signing it is fully registered.

Exemption of fully registered practitioners from liability to certain offices.

30.—(1) A fully registered person shall, if he so wishes, be exempt from serving any corporate or parochial office, and the name of such a person shall not be returned in any list of persons liable to serve in any such office.

(2) This section shall apply to a person provisionally registered under section seventeen or twenty-three of this Act whether or not the circumstances are such that he falls within the meaning in this Act of the expression " fully registered person ".

PART IV —*cont.*

Penalty for pretending to be registered.

31. Any person who wilfully and falsely pretends to be or takes or uses the name or title of physician, doctor of medicine, licentiate in medicine and surgery, bachelor of medicine, surgeon, general practitioner or apothecary, or any name, title, addition or description implying that he is registered under any provision of this Act, or that he is recognised by law as a physician or surgeon or licentiate in medicine and surgery or a practitioner in medicine or an apothecary, shall be liable on summary conviction to a fine not exceeding five hundred pounds.

PART V

ERASURE AND RESTORATION TO REGISTER

The Disciplinary Committee.

32.—(1) There shall continue to be a committee of the General Council (hereinafter referred to as "the Disciplinary Committee") to perform the functions hereinafter specified as functions of that Committee.

(2) The Disciplinary Committee shall consist of the President and eighteen other members of the General Council.

(3) Of the members of the Disciplinary Committee other than the President, six at least shall be elected members of the General Council and two at least shall be persons who are neither fully registered nor holders of any qualification registrable under this Act.

(4) The members of the Disciplinary Committee, other than the President, shall be appointed by the General Council and shall hold office for such term as may be prescribed by regulations of the Council.

Erasure from register for conviction of crime or for infamous conduct.

33.—(1) If any fully registered person—

(*a*) is convicted by any court in the United Kingdom or the Republic of Ireland of any felony, misdemeanour, crime or offence, or

(*b*) after due inquiry is judged by the Disciplinary Committee to have been guilty of infamous conduct in any professional respect,

the Committee may if they think fit direct his name to be erased from the register.

(2) In any inquiry under this section 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.

PART V —*cont.*

(3) If any university or other body, having granted to any person a qualification registrable under this Act, exercise any power conferred by law of striking off the name of that person and notify to the General Council the fact of the striking off, then if he is a fully registered person—

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

(*b*) if the said university or other body notify to the Council the findings of fact on which the decision to strike off the name was based the findings may, if the Disciplinary Committee think fit, be treated, for the purposes of any inquiry whether that person has been guilty of infamous conduct in any professional respect, as conclusive of the facts found.

(4) This section shall apply to a person provisionally registered under section seventeen or twenty-three of this Act whether or not the circumstances are such that he falls within the meaning in this Act of the expression "fully registered person".

Restoration of names to register.

34.—(1) Where the name of a person has been erased from the register under the last foregoing section the Disciplinary Committee may if they think fit at any time direct his name to be restored to the register:

Provided that 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.

(2) In the case of a person who before the erasure of his name was provisionally registered under section seventeen or twenty-three of this Act, a direction under the last foregoing subsection shall be a direction that his name be restored by way of provisional registration under that section.

(3) The requirements of Part II or Part III of this Act as to experience shall not apply to registration in pursuance of a direction under subsection (1) of this section.

Erasure from register on grounds of fraud or error.

35.—(1) If it is proved to the satisfaction of the Disciplinary Committee that any entry in the register has been fraudulently or incorrectly made the Committee may by order in writing direct that the entry shall be erased from the register.

(2) A person may be registered in pursuance of any provision of this Act notwithstanding that his name has been erased under the last foregoing subsection, but if it was so erased on the ground

PART V —*cont.*

of fraud he shall not be registered except on an application in that behalf to the Disciplinary 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) If on an application in that behalf the Disciplinary Committee so direct, the requirements of Part II or Part III of this Act as to experience shall not apply to the registration of a person whose name has been erased under subsection (1) of this section.

Appeal against erasure from register.

36.—(1) Where under section thirty-three of this Act or the last foregoing section the Disciplinary Committee determine that a person's name shall be erased from the register, 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 Her Majesty in Council may by Order provide for the purposes of this section, appeal to Her Majesty in Council; and the Judicial Committee Act, 1833, shall apply in relation to the 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 Her Majesty in Council).

The power conferred by this subsection to make an Order shall include power to vary or revoke the Order by a subsequent Order made in the like manner, and any Order in Council under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) The General 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. PART V —*cont.*

37.—(1) The Disciplinary 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— Procedure of Disciplinary Committee.

(*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 General 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 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 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 that where, in a case in which it is alleged that a person has been guilty of infamous conduct in any professional respect, the Committee judge that the allegation has not been proved they shall record a finding that the said person is not guilty of such conduct in respect of the matters to which the allegation relates:

Provided that as respects proceedings for the restoration of names to the register and the registration of persons whose names have been erased on the ground of fraud the Disciplinary Committee shall have power to make rules with respect to all or any of the matters aforesaid but shall not be required to do so, and separate rules under this subsection may be made as respects such proceedings.

PART V —*cont.*

(2) Before making rules under the last foregoing subsection the Disciplinary 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.

(3) 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 Disciplinary Committee the modifications they propose to make and consider any observations of the Committee thereon.

(4) The power to make orders conferred by the last foregoing subsection shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament; and the said power shall include power to vary or revoke any such order by a subsequent order made in the like manner and subject to the same provisions.

(5) The provisions of the Fourth Schedule to this Act shall have effect as to the proceedings of the Disciplinary Committee.

Assessors to Disciplinary Committee.

38.—(1) For the purpose of advising the Disciplinary 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 General 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 General 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.

(5) The power to make rules conferred by this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

Arrangements with Medical Registration Council of Republic of Ireland.

39.—(1) With a view to preventing the holding of simultaneous inquiries—

(*a*) the General Council shall report to the Medical Registration Council of the Republic of Ireland every case in which it is proposed, in connection with the exercise of the disciplinary powers of the Disciplinary Committee, to hold an inquiry into the conduct in Great Britain or in Northern Ireland of any person registered in the medical register of the Republic of Ireland;

(*b*) upon receipt by the General Council of any report by the Medical Registration Council of the Republic of Ireland of any case in which that Council propose, in connection with the exercise of their disciplinary powers, to hold an inquiry into the conduct in the Republic of Ireland of any person registered in the general register kept in pursuance of this Act, the General Council shall have regard to the desirability of postponing inquiry into the matter to which the report relates until the inquiry by the Medical Registration Council of the Republic of Ireland is completed.

(2) The General Council shall report to the Medical Registration Council of the Republic of Ireland every case in which disciplinary action resulting in erasure from the register is taken by the Disciplinary Committee against a person registered in the medical register of the Republic of Ireland.

PART VI

THE REGISTRARS, THE REGISTERS AND PROCEDURE FOR REGISTRATION

The registrars.

40.—(1) The General Council shall appoint a person to be registrar of the Council, and the person so appointed shall also be registrar of the branch council for England and Wales.

(2) The branch council for Scotland and the branch council for Ireland shall each appoint a person to be registrar of the council appointing him.

The registers.

41.—(1) There shall continue to be a general register kept by the registrar of the General Council, and a local register kept by the registrar of each of the branch councils, and each of those registers shall contain, in addition to names and qualifications, the addresses and dates of registration of the persons registered therein.

(2) The General Council shall from time to time as occasion may require make orders for regulating the registers, and orders under this subsection may contain provision as to the form in which the registers are to be kept.

(3) Registration under Part II of this Act shall be effected in a local register and also in the general register.

(4) Registration as a Commonwealth or foreign practitioner shall be effected in the general register, and that register shall contain a separate list of the names and addresses of persons registered as Commonwealth practitioners and a separate list of the names and addresses of persons registered as foreign practitioners.

(5) The General Council shall so exercise their power to make orders under subsection (2) of this section as to secure that persons provisionally registered in any register shall be registered in a separate part of the register, and that on a person becoming registered otherwise than provisionally his name shall be removed from the separate part.

(6) It shall be the duty of the registrars to keep their respective registers correct in accordance with the provisions of this Act and the orders of the General Council, to erase the names of persons who have died, and from time to time to make the necessary alterations in the addresses or qualifications of registered persons.

(7) For the purposes of the last foregoing subsection any of the registrars may, by letter addressed to any registered person at his address on the register, inquire whether he has ceased to practise or has changed his address; and if no answer is

returned to any such letter within the period of six months from its being sent the entry relating to the said person may be erased from the register:

Provided that the General Council may if they think fit order that any entry erased under this subsection shall be restored.

(8) On registering the death of a medical practitioner a registrar of births and deaths shall, without charge to the recipient, send forthwith by post—

(*a*) to the registrar of the General Council, and

(*b*) to the registrar of the branch council for the area in which the deceased resided,

a copy certified under his hand of the entry in the register of deaths relating to the death.

(9) If the registrar of the General Council or a branch council wilfully makes, or causes to be made, any falsification in a matter relating to the register to be kept by him, he shall be guilty of a misdemeanour and on conviction thereof shall be liable to imprisonment for a term not exceeding twelve months.

Procedure for registration.

42.—(1) Subject to the provisions of this section, any right to registration conferred by this Act shall be conditional on the making of such an application, supported by such evidence, as is required by the following provisions of this section.

(2) Application for registration under Part II of this Act, whether fully or provisionally and whether of persons, qualifications, or other matters, shall be made to the registrar of one of the branch councils.

(3) Any other application for registration under this Act shall be made to the registrar of the General Council.

(4) A person making an application for registration (whether fully or provisionally) under Part II of this Act shall produce the document conferring or evidencing the qualification by virtue of which the application is made or may send by post to the registrar information of his name and address and evidence of the said qualification and of the time of its being obtained;

Provided that any university or other body specified in the Third Schedule to this Act may from time to time transmit to the registrar of a branch council lists certified under the body's seal of the persons who have been granted qualifications by the body, stating the qualifications and addresses of the persons included in the list, and a registrar may register the persons mentioned in any such list sent to him without production of the document or evidence mentioned in the foregoing provisions of this subsection.

(5) A registrar shall not register any qualification, whether on first registration of a person or by way of addition or substitution,

PART VI —*cont.*

unless he is satisfied by the evidence required by this Act that the person claiming the qualification is entitled to it; but if the registrar determines that he is not satisfied as aforesaid the said person may appeal to the Disciplinary Committee.

(6) The evidence required to be produced by subsection (2) of section seventeen or subsection (2) of section twenty-three of this Act on an application for provisional registration shall be produced to the registrar to whom the application is made, and in those subsections the expression " the proper evidence " means evidence such as to satisfy him that the applicant has been selected for such employment as is mentioned in subsection (2) of section fifteen of this Act.

(7) This section shall not apply to registration under section twenty-five of this Act or to anything done in pursuance of a direction under section thirty-four of this Act.

Procedure on erasure or restoration.

43. Any direction under sections thirty-three to thirty-five of this Act for an erasure from or restoration to the register shall be given to the registrar of the General Council and shall relate to the general register, and in those sections and in section thirty-six of this Act the references to the registrar and the register are references to that registrar and register.

Co-ordination of central and local registers.

44.—(1) Where the registrar of the General Council makes any alteration in the register, then—

(*a*) if the person to whom the alteration relates is or was registered in the local register for England and Wales, the registrar shall make the like alteration in that register,

(*b*) if the said person is or was registered in the local register for Scotland or Ireland, the registrar shall forthwith send, to the registrar charged with keeping that local register, particulars of the alteration for the last-mentioned registrar to make forthwith the like alteration in the local register.

(2) The registrar for England and Wales shall, on making any alteration in the local register for England and Wales, forthwith cause the like alteration to be made in the general register.

(3) On the making of any alteration in the local register for Scotland or Ireland the registrar making the alteration shall with all convenient speed send particulars of the alteration, certified under his hand, to the registrar of the General Council, and that registrar shall forthwith cause the like alteration to be made in the general register.

PART VI —*cont.*

(4) Any alteration made in pursuance of paragraph (*b*) of subsection (1), or subsection (3), of this section shall bear date from the register in which the original alteration was made.

(5) In this section the expression "alteration" means the registration in, erasure from or restoration to a register of any name, address, qualification or date or the making or deletion of a note in a register.

Registration fees.

45.—(1) Subject to the provisions of this section, any right to registration of a person or a qualification shall be conditional on the payment of such fees as may be determined by the General Council.

(2) The fee payable on provisional registration under section seventeen or twenty-three of this Act shall not exceed five guineas.

(3) No fee shall be chargeable for provisional registration as aforesaid in the case of a person registered by virtue of any provision of the law of the Republic of Ireland made for purposes similar to those of section seventeen of this Act.

(4) Subject to the provisions of the two last foregoing subsections, the fee payable on registration shall not exceed—

(*a*) six guineas, in the case of a person provisionally registered as aforesaid, or in the case of a person registered by virtue of any such provision of the law of the Republic of Ireland as aforesaid;

(*b*) eleven guineas, in the case of any other person.

(5) Subsection (1) of this section shall not apply to registration under section twenty-five of this Act or to anything done in pursuance of a direction under section thirty-four thereof, but where a direction for registration in pursuance of the said section twenty-five is given the General Council may include therein a direction that the right to registration conferred thereby shall be subject to payment by the person to whom the direction relates of such fee as may be specified in the direction, not being greater than the fee for the time being determined by the Council for registration of persons as Commonwealth practitioners or as foreign practitioners, as the case may be, under section eighteen of this Act.

(6) The Privy Council may from time to time 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 subsections (2) and (4) of this section shall be increased or decreased to such extent as may be provided by the order.

(7) The power to make orders conferred by the last foregoing subsection shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of

PART VI —*cont.*

Parliament, and the said power shall include power to vary or revoke any such order by an order made in the like manner and subject to the like provisions.

The Medical Register and the Register of Provisional Medical Registrations.

46.—(1) The registrar of the General Council shall in every year cause to be printed, published and sold, under the direction of the General Council, a publication, to be called " the Medical Register ", being a correct register of the names in alphabetical order of surnames, with the addresses and the registered qualifications, of all persons appearing in the register, as existing on the first day of January in that year, being persons registered under section seven, seventeen, eighteen or twenty-three of this Act.

(2) The General Council may if they think fit direct that in addition to the annual publication of the Medical Register their registrar 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 publication relating only to persons provisionally registered under section seventeen or twenty-three of this Act, 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 General Council may direct.

(3) A copy of either of the said publications purporting to be printed and published as aforesaid shall be evidence in all proceedings that the persons specified therein are registered as aforesaid, fully or provisionally as appears from the publication; and the absence of the name of any person—

(*a*) from any such copy of the Medical Register shall be evidence, until the contrary is shown, that he is not registered under section seven or eighteen of this Act,

(*b*) from any such copy of the Register of Provisional Medical Registrations shall be evidence, until the contrary is shown, that he is not provisionally registered under section seventeen or twenty-three of this Act.

(4) In the case of a person whose name does not appear in either of the said publications a certified copy, under the hand of the registrar of the General Council or of any branch council, of the entry relating to that person in the register shall be evidence of the entry.

PART VII

GENERAL AND SUPPLEMENTARY

The British Pharmacopoeia.

47.—(1) The General 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 General 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 General 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) The General Council shall have the exclusive right of publishing, printing and selling the British Pharmacopoeia and any documents containing amendments thereof, subject however to any determination by the Treasury of the price at which copies are to be sold to the public.

(5) A copy of the British Pharmacopoeia, or of any such document as aforesaid, being a copy purporting to be printed by such person as may be named in a notice published in the London, Edinburgh and Belfast Gazettes as authorised by the General Council to print the Pharmacopoeia, or that document, as the case may be, shall be received in evidence as being the Pharmacopoeia, or that document, as the case may be, and shall be evidence that the date stated therein for the coming into effect thereof is the date fixed in that behalf by the General Council.

(6) 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 as references to the latest edition which has taken effect in accordance with this section before the said date, as affected by any amendments which have so taken effect.

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

PART VII —*cont.* Registration of diplomas in public health, sanitary science or state medicine.

48.—(1) A fully registered person who after special examination has obtained a diploma for proficiency in public health, sanitary science or state medicine from any university or any college or faculty of physicians or surgeons in the United Kingdom, the Republic of Ireland or any part of the Commonwealth as respects which an order under section nineteen of this Act is for the time being in force, or from any such bodies as aforesaid acting in combination, shall, if the diploma appears to the Privy Council or to the General Council to deserve such recognition in the register, be entitled to have his possession of the diploma entered in the register in addition to any other qualification.

(2) Sections forty-four and forty-five of this Act shall apply to the making of an entry by virtue of this section as they apply to registration.

(3) In this section the expression "diploma" includes any degree, fellowship, membership, licence, authority to practise, letters testimonial, certificate or other status or document.

Powers of Privy Council on default by General Council.

49.—(1) If at any time it appears to the Privy Council that the General Council—

(*a*) ought to appoint assistant examiners under subsection (4) of section eleven of this Act; or

(*b*) have failed to secure the maintenance of a sufficient standard of proficiency at examinations; or

(*c*) ought to exercise any power vested in them by this Act, or to perform any duty thereby imposed on them, or to do any act or thing thereby authorised to be done by them,

the Privy Council may notify their opinion to the General Council:

Provided that paragraph (*c*) of this subsection shall not apply to any power vested, duty imposed, or act or thing authorised to be done by section nine, subsection (3) of section eleven, sections fifteen, sixteen, twenty-two, twenty-five, thirty-two, thirty-eight, thirty-nine, or forty-five, subsection (2) of section forty-six, or section forty-seven of this Act.

(2) If the General Council fail to comply with any directions of the Privy Council relating to such notification as aforesaid, the Privy Council may themselves give effect thereto, and for that purpose may exercise any power vested in the General Council or do any act or thing authorised to be done by that Council, and may of their own motion do any act or thing which under this Act they are authorised to do in pursuance of a representation or suggestion from the General Council.

Exercise of powers of Privy Council.

50.—(1) Any power vested in the Privy Council by this Act may be exercised by any two or more of the lords and others of the Council.

PART VII —*cont.*

(2) Any act of the Privy Council under this Act shall be sufficiently signified by an instrument signed by the clerk of the Council, and an order or act signified by an instrument purporting to be signed by the clerk of the Council shall be deemed to have been duly made or done by the Privy Council, and an instrument so signed shall be received in evidence in all courts and proceedings without proof of the authority or signature of the clerk of the Council or other proof.

Proof of orders.

51. A copy of an order under subsection (1) or (2) of section thirteen of this Act or under subsection (1) of section nineteen thereof, of a direction of the Privy Council under subsection (2) of section twenty-four of this Act, of an order of the General Council under subsection (4) of section eleven or under section forty-one of this Act, or of an order of the Disciplinary Committee under section thirty-five of this Act, being a copy which—

(*a*) purports to be printed by the Queen's printers, or by any other printers in pursuance of authority given by the General Council, or

(*b*) is certified to be a true copy by the registrar of the General Council or by any other person appointed by the General Council, either in addition to or in place of the registrar, to certify orders made by the General Council,

shall be admissible in evidence.

Construction of references to registration etc. in other enactments.

52.—(1) In any enactment the expression "legally qualified medical practitioner" or "duly qualified medical practitioner", or any expression importing a person recognised by law as a medical practitioner or member of the medical profession, shall be construed to mean a fully registered person.

(2) In any enactment other than this Act references (however expressed) to a person registered under the Medical Acts or as a medical practitioner shall be construed as references to a fully registered person.

Chemists etc. not to be affected.

53. Nothing in this Act contained shall extend or be construed to extend to prejudice or in any way to affect the lawful occupation, trade, or business of chemists and druggists and dentists, or the rights, privileges, or employment of duly licensed apothecaries in Northern Ireland, so far as the same extend to selling, compounding or dispensing medicines.

Interpretation.

54.—(1) In this Act—

"additional qualification" has the meaning assigned to it by subsection (1) of section eight of this Act;

"appointed member" has the meaning assigned to it by subsection (1) of section one of this Act;

"elected member" has the meaning assigned to it by subsection (1) of section one of this Act;

"enactment" includes an enactment of the Parliament of Northern Ireland;

PART VII —*cont.*

" fully registered person " means a person for the time being registered under section seven or eighteen of this Act as a fully registered medical practitioner, and—

(*a*) so far as mentioned in subsection (3) of section seventeen of this Act, but not further, includes a person for the time being provisionally registered under that section or section twenty-three of this Act,

(*b*) in relation to such employment, and things done or omitted, as are mentioned in subsection (4) of section twenty-five of this Act, but not in relation to other matters, includes a person for the time being temporarily registered under that section,

and " fully registered " shall be construed accordingly;

" nominated member " has the meaning assigned to it by subsection (1) of section one of this Act;

" party ", in relation to proceedings before the 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 General Council;

" primary qualification " has the meaning assigned to it by subsection (2) of section seven of this Act;

" registered ", in relation to anything to be done by a registrar, means registered in the register kept by him;

" the General Council " has the meaning assigned to it by subsection (2) of section one of this Act;

" the register ", in relation to anything to be done by a registrar, means the register kept by him.

(2) References in this Act to any enactment are references thereto as amended by any other enactment.

(3) Where a part of the Commonwealth is under both a central and a local legislature, then if Her Majesty by Order in Council so provides it shall be treated for the purposes of Part III of this Act as a separate part of the Commonwealth; but subject as aforesaid all areas in the Commonwealth which are under one central legislature shall be treated for the said purposes as one part of the Commonwealth.

(4) This Act shall apply in relation to Monmouthshire as if it were part of Wales and not of England, and references in this Act to England and to Wales shall be construed accordingly.

Provisions as to penalties in Scotland.

55.—(1) Any penalty to which a person is liable on summary conviction under this Act may be recovered in Scotland by any person before the sheriff or two justices of the peace who may,

on the appearance or the default to appear of the accused, proceed to hear the complaint, and where the offence is proved or admitted the sheriff or justices shall decern the accused to pay the penalty as well as such expenses as the sheriff or justices shall think fit.

(2) Any sum of money arising from conviction and recovery of penalties as mentioned in the last foregoing subsection shall be paid to the treasurer of the General Council.

Application to Northern Ireland.

56.—(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 except any provision thereof reproducing a provision of the Medical and Dentists Acts Amendment Act, 1927, shall be deemed to be an Act passed before the appointed day for the purposes of the said Act of 1920, 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 paragraph 7 of the First Schedule to this Act as relates to remuneration of 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.

Repeals, transitional provisions and savings.

57.—(1) The enactments mentioned in the first and second columns of the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) A registration, or entry or note in a register, effected under any enactment repealed by this Act shall, if in force at the commencement of this Act, not be affected by the repeal, and—

(*a*) any such registration, if not falling within the following provisions of this subsection, shall have effect as if made under section seven of this Act;

(*b*) any such registration, not being provisional or temporary, shall if a registration as a Commonwealth or as a foreign practitioner have effect as if made under section eighteen of this Act;

(*c*) any such registration, if provisional, shall have effect as if made under section seventeen of this Act unless it is a registration as a Commonwealth or as a foreign practitioner, and if it is such a registration shall have effect as if made under section twenty-three of this Act;

PART VII —*cont.*

(*d*) any such registration, if temporary, shall have effect as if made under section twenty-five of this Act,

and any registration under section one of the Medical Practitioners and Pharmacists Act, 1947 in force at the commencement of this Act shall have effect as if made under section eighteen of this Act.

(3) Nothing in this Act shall affect any order, regulation, rule, appointment, nomination, election, application, claim or charge made, authority, approval, certificate, direction or notice given, or any other thing (not falling within the last foregoing subsection) done, under an enactment repealed by this Act, but any such order, regulation, rule, appointment, nomination, election, application, claim, charge, authority, approval, certificate, direction, notice, or thing shall if and so far as it is in force at the commencement of this Act continue in force, and so far as it could have been made, given or done under the corresponding provision of this Act, it shall have effect as if it had been made, given or done under that corresponding provision.

(4) References in any enactment, instrument or other document passed or made before the twenty-third day of February, nineteen hundred and fifty-one to the General Council of Medical Education and Registration of the United Kingdom shall be construed as references to the General Council.

(5) In relation to a country which immediately before the commencement of this Act was a British possession or foreign country to which the Medical Act, 1886 applied, and which has not since the commencement of this Act ceased to be a country to which Part III of this Act applies, section eighteen of this Act shall have effect as if the prescribed day were the day on which the said country became a British possession or foreign country to which the said Act of 1886 applied.

(6) Section thirty-four of this Act shall apply to persons whose names have been erased under section twenty-eight of the Medical Act, 1858, as in force before the coming into operation of section nineteen of the Medical Act, 1950, as the said section thirty-four applies to persons whose names have been erased under section thirty-three of this Act.

(7) Section forty-two of this Act shall not apply to registration in pursuance of a direction of the General Council under the Medical Practitioners and Pharmacists Act, 1947.

(8) The references in paragraphs (*a*) and (*b*) of subsection (3) of section forty-six of this Act to sections seven, seventeen and twenty-three of this Act include references to the corresponding provisions of the enactments repealed by this Act, and the reference in the said paragraph (*a*) to section eighteen of this

PART VII —*cont.*

Act includes a reference to the corresponding provisions of those enactments and to section one of the Medical Practitioners and Pharmacists Act, 1947.

(9) For the purposes of subsection (6) of section forty-seven of this Act any edition of, or amendments of, additions to, or deletions from, the British Pharmacopoeia which took effect in accordance with section twenty-three of the Medical Act, 1950, shall be deemed to have taken effect in accordance with the provisions of the said section forty-seven.

(10) In any enactment or Order in Council coming into effect before the seventh day of August, eighteen hundred and sixty-two, for any reference to a Pharmacopoeia in use before that date published in England under the direction of the Royal College of Physicians of London or in Scotland under the direction of the Royal College of Physicians of Edinburgh or in Ireland under the direction of the King and Queen's College of Physicians in Ireland there shall be substituted a reference to the British Pharmacopoeia and to any amendment thereof, deletion therefrom or addition thereto; and any instrument relating to any such Pharmacopoeia in use before that date shall be treated as relating to the British Pharmacopoeia and such amendments, deletions or additions instead of to such other Pharmacopoeia.

(11) The following provisions shall have effect for the construction of references in this Act to British subjects, that is to say, subsection (2) of section three of the British Nationality Act, 1948, shall apply as if this Act had been in force at the date of the commencement of that Act, and this Act shall be deemed to be existing law within the meaning of section one of the India (Consequential Provision) Act, 1949 and section one of the Pakistan (Consequential Provision) Act, 1956.

(12) In subsection (3) of section six of the Medical Act, 1950 for the words " provisionally registered shall be deemed to be registered " there shall be substituted the words " provisionally registered under section seventeen or twenty-three of the Medical Act, 1956 shall be deemed to be registered as fully registered medical practitioners ".

(13) The mention of particular matters in this section shall not be taken to affect the general application of section thirty-eight of the Interpretation Act, 1889 with regard to the effect of repeals.

Short title and commencement.

58.—(1) This Act may be cited as the Medical Act, 1956.

(2) This Act shall come into operation on the first day of January, nineteen hundred and fifty-seven.

SCHEDULES

Sections 1, 6.

FIRST SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO GENERAL COUNCIL AND BRANCH COUNCILS

1. The validity of any proceedings of the General Council shall not be affected by any vacancy among the members of the Council or by any defect in the nomination, appointment or election of a member thereof.

2. The quorum of the General Council shall be eight.

3. The General Council may by Standing Order make provision as to the times and places of their meetings and the mode of summoning them, and any such Standing Order may be varied or revoked by a subsequent Standing Order of the Council.

4. In the absence of the President from any meeting of the General Council, the members present shall choose one of their number to act as president.

5. All acts of the General Council shall be decided by the votes of a majority of the members present at any meeting, and if the votes are equal the President or person acting in his stead shall, in addition to his vote as a member of the Council, have a casting vote.

Committees of the General Council

6.—(1) The General Council may constitute out of their membership one or more committees, and may delegate to them such of the Council's functions as they think fit other than the power to make representations under subsection (1) of section thirteen or under section fourteen of this Act.

(2) The quorum of any such committee shall be three.

Remuneration and allowances for attendance at General Council and branch councils and capacity for membership of House of Commons

7.—(1) There shall be paid to the members of the General Council and of the branch councils such fees for attendance and such reasonable travelling expenses and subsistence allowances as the General Council with approval of the Treasury may allow:

Provided that in the case of a member who is a member of the House of Commons this sub-paragraph shall have effect as if the words "such fees for attendance and" were omitted.

(2) No person shall be disqualified for being elected to the House of Commons or sitting or voting as a member thereof by reason of being a member of the General Council or of a branch council.

Officers and servants of General Council and branch councils

8. The registrar of the General Council shall be secretary of the Council and of the branch council for England and Wales, and the

registrar of the branch council for Scotland and the registrar of the branch council for Ireland shall respectively be secretary of those councils.

9.—(1) The General Council may appoint a person or persons to be treasurer or treasurers thereof, and in default of any such appointment the registrar of the General Council shall be treasurer of the Council.

(2) The treasurer or treasurers of the General Council shall be treasurer or treasurers of the branch council for England and Wales.

(3) In the case of either of the other branch councils, the registrar thereof shall be treasurer thereof unless that branch council appoint some other person or persons to be treasurer or treasurers thereof.

10. The General Council and each branch council shall appoint such officers and servants as may be necessary for the purposes of this Act.

11. Every registrar, treasurer, officer and servant of the General Council or a branch council shall be paid such salary as the council he serves think fit and shall be removable at the pleasure of that council.

Expenses of General Council and branch councils, and accounts

12.—(1) All moneys payable to the General Council or to a branch council shall be paid to the treasurer or treasurers of the council in question.

(2) All moneys received by any treasurer arising from fees to be paid on registration, from the sale of registers, from penalties or otherwise, shall be applied for expenses of registration and of the execution of this Act.

(3) In the application of moneys to defray the expenses of carrying this Act into execution the following provisions shall have effect:—

(*a*) separate accounts shall be kept of the expenses of the General Council and of the expenses of each branch council;

(*b*) the expenses of the General Council (including the expenses of keeping, printing and publishing the register) shall be defrayed, under the direction of the General Council, by means of an equal percentage rate upon all moneys received by each of the branch councils, and—

(i) the treasurer or treasurers of each of the branch councils shall make returns of all moneys received by the council in question at such times as the General Council direct, and

(ii) the General Council shall compute the necessary percentage, and the treasurer or treasurers of each branch council shall pay the contribution of that council to the treasurer or treasurers of the General Council;

(*c*) the expenses of each branch council shall be defrayed, under the direction of that council, out of the residue of the moneys received by that council.

13.—(1) The treasurer or treasurers of the General Council and of each branch council shall keep true accounts of all moneys received and paid by them, and shall submit the accounts to the General Council or branch council, as the case may be, at such times as the council to whom the accounts are to be submitted may require.

1ST SCH. —*cont.*

(2) The said accounts shall be published annually.

(3) The said accounts shall be laid before both Houses of Parliament in each year, in the month of March if Parliament is then sitting, or, if Parliament is not then sitting, within one month after the next meeting of Parliament.

Section 4.

SECOND SCHEDULE

PROVISIONS AS TO ELECTION OF MEMBERS OF GENERAL COUNCIL

1. The President of the General Council, or any other person whom the General Council may from time to time appoint, shall be the returning officer for the purpose of elections of elected members of the General Council.

2.—(1) Where a vacancy will require to be filled by reason of effluxion of time or the creation of a power to return an additional member, the returning officer shall issue his precept for the holding of an election not more than three months and not less than two months before the day by which the vacancy will require to be filled.

(2) Where a vacancy, not being one to which the proviso to subsection (6) of section four of this Act applies, arises by death or resignation the returning officer shall issue his precept as soon as conveniently may be after the occurrence of the vacancy.

(3) Any precept for holding an election shall be issued to the appropriate branch council requiring that council to cause an election to fill the vacancy to be held within forty days after the day on which the precept is received.

3. Elections shall be conducted in such manner as may be provided by regulations made by the Privy Council, but subject to the following provisions of this Schedule.

4. As respects the election of any person as resident in Wales, the regulations shall make provision for conducting the election separately and otherwise for giving effect to the requirements of paragraph (*a*) of subsection (1) of section four of this Act that one of the eight members referred to in that paragraph shall be elected as so resident.

5. A candidate for election must be nominated in writing and his nomination paper must be signed by not fewer than twelve fully registered persons.

6. The following provisions shall have effect as to voting—

(*a*) the election shall be by voting papers ;

(*b*) the appropriate branch council shall cause a voting paper to be sent to each medical practitioner entitled to vote at the election by posting it to him at his address as registered, but an election shall not be rendered void by any failure so to do and any practitioner to whom a voting paper has not been sent in pursuance of the foregoing provisions of this paragraph may on application to the registrar of the appropriate branch council obtain one from him ;

(*c*) a person entitled to vote may, if the election is to fill two or more vacancies, vote for as many candidates as there are vacancies.

7. The appropriate branch council shall certify to the returning officer the person or persons elected. 2ND SCH. —*cont.*

8. The time for coming into office of a person elected shall be as follows:—

(*a*) if his predecessor retired at the end of his term of office or vacated office in the last twelve months of that term, whether by death or resignation, the expiration of that term;

(*b*) otherwise, the beginning of the day on which the appropriate branch council certifies to the returning officer that he has been elected.

9. The expenses of and incidental to elections shall be defrayed as part of the expenses of the appropriate branch council.

10. In this Schedule the expression "the appropriate branch council" means, in relation to the filling of any vacancy, the branch council for the area residence in which qualifies persons to vote in an election to fill that vacancy.

THIRD SCHEDULE

Sections 7, 8, 9, 10, 11, 14, 15, 42.

REGISTRABLE QUALIFICATIONS FOR PURPOSES OF PART II

University or other body granting qualification	Primary qualifications	Additional qualifications
Any university in England or Wales, Scotland or Ireland.	Degree of bachelor of medicine, licence or licentiate in medicine, degree of bachelor of surgery.	Degree of doctor of medicine, master of surgery, or master in obstetrics.
Any university in Ireland.	Licence in surgery.	
Royal College of Physicians of London.	Licentiate.	Fellowship, membership.
Royal College of Surgeons of England.	Membership, licentiate in midwifery.	Fellowship.
Society of Apothecaries of London.	Licentiate, licentiate in medicine and surgery.	—
Royal College of Physicians of Edinburgh.	Licentiate.	Fellowship, membership.
Royal College of Surgeons of Edinburgh.	Licentiate.	Fellowship.
Royal Faculty of Physicians and Surgeons of Glasgow.	Licentiate.	Fellowship.
Royal College of Physicians of Ireland.	Licentiate.	Fellowship, membership, licentiate in midwifery.
Royal College of Surgeons in Ireland.	Licentiate.	Fellowship, licentiate in midwifery.
Apothecaries' Hall, Dublin.	Licentiate.	—

Section 37.

FOURTH SCHEDULE

PROVISIONS AS TO PROCEEDINGS OF DISCIPLINARY COMMITTEE

1. The validity of any proceedings of the Disciplinary Committee shall not be affected by any vacancy among the members of the Committee or by any defect in the appointment of a member thereof.

2. At any meeting of the Disciplinary Committee the President of the General Council, or in his absence such member as the Committee shall choose, shall be chairman.

3.—(1) The quorum of the Disciplinary Committee shall be five.

(2) The Disciplinary 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.

(3) The Disciplinary Committee shall make arrangements for securing that at the hearing of any case at least one of the members who are neither fully registered nor holders of any qualification registrable under this Act, and at least two of the members who are elected members of the General Council, shall be eligible to attend.

4. All acts of the Disciplinary Committee shall be decided by the votes of the majority of the members present at a meeting.

5.—(1) For the purpose of proceedings before the Disciplinary 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.

(2) 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 Disciplinary Committee as it applies in relation to causes or matters in the High Court.

FIFTH SCHEDULE

Section 57.

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
32 Hen. 8. c. 40	The Physicians Act, 1540	The whole Act.
21 & 22 Vict. c. 90.	The Medical Act, 1858	Sections two to forty-six; section fifty-five; and Schedules (A) and (D).
22 Vict. c. 21...	The Medical Act, 1859	The whole Act.
23 Vict. c. 7...	The Medical Acts Amendment Act, 1860.	The whole Act.
25 & 26 Vict. c. 91.	The Medical Council Act, 1862.	The whole Act.
37 & 38 Vict. c. 34.	The Apothecaries Act Amendment Act, 1874.	Section three.
39 & 40 Vict. c. 40.	The Medical Practitioners Act, 1876.	The whole Act.
49 & 50 Vict. c. 48.	The Medical Act, 1886	Sections two to five; in section six the words "in the United Kingdom and"; sections seven to twenty-four; in section twenty-seven the words "except where the context otherwise requires" and the definitions other than that of "local law" and "person".
63 & 64 Vict. c. xix.	The Birmingham University Act, 1900.	Sections nine and ten.
3 Edw. 7. c. ccxxxii.	The Liverpool University Act, 1903.	Sections ten and eleven.
4 Edw. 7. c. xxxv.	The University of Leeds Act, 1904.	Sections eight and nine.
5 Edw. 7. c. 14	The Medical Act (1886) Amendment Act, 1905.	The whole Act.
5 Edw. 7. c. clii	The University of Sheffield Act, 1905.	Sections seven and eight.
7 Edw. 7. c. xxii.	The Apothecaries Act, 1907.	Section five.
8 Edw. 7. c. 38	The Irish Universities Act, 1908.	Section eleven.
9 Edw. 7. c. xlii	The University of Bristol Act, 1909.	Sections seven and eight.
1 & 2 Geo. 5. c. 43.	The University of Wales (Medical Graduates) Act, 1911.	The whole Act.
17 & 18 Geo. 5. c. 39.	The Medical and Dentists Acts Amendment Act, 1927.	In section one, the words from "and so far as" in subsection (1) to the end of the section; in section three, subsections (2), (4) and (5).

5TH SCH. —*cont.*

Session and Chapter	Short Title	Extent of Repeal
11 & 12 Geo. 6. c. 11.	The Medical Practitioners and Pharmacists Act, 1947.	Section eight.
14 Geo. 6. c. 29	The Medical Act, 1950	Sections one to five; in section six, subsections (1) and (2), in subsection (3), paragraphs (*a*) and (*b*) and the words "but not further" and subsections (4) to (7); sections seven to twenty-four; subsection (1) of section twenty-five; sections twenty-six to twenty-eight and thirty and thirty-two; in section thirty-four, in subsection (1), the words "on the Lord Chancellor to make rules and", subsection (2), in subsection (3) and subsection (4) the words from "other than" to "day"; section thirty-five, except the words in subsection (4) from "for the purpose" to the end; sections thirty-six and thirty-seven; subsection (2) of section thirty-eight; the First Schedule; the Second Schedule, except the entry relating to the Medical Practitioners and Pharmacists Act, 1947, in the first column and the words from the beginning to "'by virtue of section eleven'" in the corresponding entry in the second column.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Apothecaries Act, 1815	55 Geo. 3. c. 194.
Judicial Committee Act, 1833	3 & 4 Will. 4. c. 41.
Medical Act, 1858	21 & 22 Vict. c. 90.
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