

EXPLANATORY MEMORANDUM TO
THE GENERAL MEDICAL COUNCIL (CONSTITUTION OF PANELS AND
INVESTIGATION COMMITTEE)(AMENDMENT) RULES ORDER OF
COUNCIL 2005

2005 No.402

1. This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.

2. **Description**
 - 2.1 The General Medical Council (Constitution of Panels and Investigation Committee)(Amendment) Rules Order of Council 2005 approves Rules amending The General Medical Council (Constitution of Panels and Investigation Committee) Rules 2004 (“the principal rules”). The instrument makes minor changes to rule 6 (quorum) and rule 7 (validity of proceedings) of the principal rules by inserting a reference to a Registration Decisions Panel.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None.

4. **Legislative Background**
 - 4.1 The General Medical Council (“GMC”) is required by paragraph 19B of Schedule 1 to the Medical Act 1983 (as substituted by article 5(3) of SI 2002/3135) to make rules with regard to the constitution of the Registration Decisions Panel. This instrument makes minor amendments to the principal rules (which make provision as to the constitution of panels) to add a reference to a Registration Decisions Panel to rule 6 (quorum) and rule 7 (validity of proceedings).

5. **Extent**
 - 5.1 This instrument applies to the United Kingdom.

6. **European Convention on Human Rights**
 - 6.1 Not applicable.

7. Policy background

7.1 The General Medical Council (Constitution of Panels and Investigation Committee)(Amendment) Rules Order of Council 2005 form part of a package of changes to the GMC's structure and functions. The Medical Act 1983 was substantially amended by the Medical Act 1983 (Amendment) Order 2002 (SI 2002/ 3135), the provisions of which have been brought in over a period of time.

7.2 This Order is one of a series of instruments relating to the latest Rules made by the GMC and approved by Orders of Council to implement revised registration decisions and appeals procedures. The related instruments are:

- The General Medical Council (Registration Appeals Panels Procedure) Rules Order of Council 2005; and
- The General Medical Council (Fraud or Error in relation to Registration) Rules Order of Council 2005

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 There are no identified costs to either the public or the Exchequer arising from this instrument. The cost of regulation is met from registrants' fees, which the GMC is authorised to charge for this purpose.

9. Contact

Bob Travers or Paul Atkinson at the Department of Health. Telephone: 0113 254 6918/ 254 5311 or e-mail: Bob.Travers@dh.gsi.gov.uk / Paul.Atkinson@dh.gsi.gov.uk can answer any queries regarding the instrument.