

# The General Medical Council (Constitution of Panels and Investigation Committee) (Amendment) Rules 2010

The General Medical Council, in exercise of its powers under paragraphs 19A to 19E of Schedule 1 to the Medical Act 1983(a) hereby makes the following rules.

## Citation, commencement and purpose

1.—(1) These Rules may be cited as the General Medical Council (Constitution of Panels and Investigation Committee) (Amendment) Rules 2010, and shall come into force on 1st April 2010.

(2) The General Medical Council (Constitution of Panels and Investigation Committee) Rules 2004(b) are amended as follows.

## Amendments in relation to non-availability and ineligibility to act

2.—(1) In rule 5(3), after “unavailable for the whole or part of any proceedings” insert “or becomes ineligible to act as Chair during the course of any proceedings”.

(2) For rule 7, substitute the following—

### “Validity of proceedings

7.—(1) The validity of any proceedings of a Panel, a Registration Panel or the Committee shall not be affected by any defect in the appointment of a panellist.

(2) Where a panellist is unavailable for the whole or part of any proceedings or becomes ineligible to act during the course of any proceedings and the proceedings are adjourned as a result, then the appeal may proceed notwithstanding that any panellists present at the original hearing are not present at the subsequent hearing or that any panellists present at the subsequent hearing were not present at the original hearing, unless the Registrar considers that it is in the interests of justice to convene a freshly constituted panel.”.

## Amendments substituting the word “Chairman”

3. Both in rule 5 and in the heading to that rule, and in rule 6(a), for “Chairman”, wherever that word occurs, substitute “Chair”.

Given under the official seal of the General Medical Council this day of February 2010



*Peter Rubin*  
Chair

*Niall Dickson*  
Chief Executive and Registrar

---

(a) 1983 c.54. Paragraphs 19A to 19E are inserted by S.I. 2002/3135. Those paragraphs are repealed by the Health and Social Care Act 2008 (c.14), sections 99 and 166, Schedule 7, paragraph 20 and Schedule 15, Part 2 but the repeals and the amendments are not yet in force. Paragraph 19B is amended by S.I.2006/1914.

(b) Scheduled to S.I. 2004/2611, as amended by S.I. 2005/402 and 2009/2751.