

Schedule 3: Appointments

Subject Matter	Brief summary of the privilege or duty	Legislative Provision
Court of Protection Visitors	A Registered Medical Practitioner may be appointed as a Special Visitor (a Court of Protection Visitor charged with providing independent advice to the Court in relation to persons who lack capacity).	Mental Capacity Act 2005 (Sections 49 and 61)
First-tier Tribunal and Upper Tribunal	Registered Medical Practitioners are eligible for appointment as a member of the First-tier Tribunal and the Upper Tribunal.	Qualifications for Appointment of Members to the First-tier Tribunal and Upper Tribunal Order 2008 (SI 2008/2692)
Adoption and Fostering	Registered Medical Practitioners may play an active role in the adoption and fostering decision making process.	Independent Review of Determinations (Adoption and Fostering) Regulations 2009 (SI 2009/395) See also the Independent Review of Determinations (Adoption) (Wales) Regulations (SI 2006/3100)
Advising regulators	Registered Medical Practitioners may be appointed by regulatory Councils as medical assessors with the general function of giving advice to the various committees of the Council.	For example: Chiropractors Act 1994 (Sections 28 and 30) Dentists Act 1984 (Schedule 4C) Osteopaths Act 1993 (Section 28 and 30)
Appointment to a regulatory council	A number of regulatory councils require a Registered Medical Practitioner to be appointed to the council and to sit on panels that hear appeals against certain determinations, in particular where health is at issue.	For example: Osteopaths Act 1993 (Section 30, Schedule) Health Professions Order 2001 (SI 2001/254) Nursing and Midwifery Order 2001 (SI 2002/253)
Examining and reporting in relation to claims for social security	Before determining a claim for certain benefits (including disability living allowance, jobseeker's allowance) the Secretary of State may refer the applicant to a health care professional approved by the Secretary of State for an examination and	Social Security Act 1998 (Sections 19 and 20)

benefits	report (the definition of a health care professional includes a Registered Medical Practitioner). The First-tier tribunal may also refer an appellant to a health care professional for the purpose of obtaining information to be used during an appeal.	
Employment Advisory Service	Only fully Registered Medical Practitioners are qualified to be appointed as employment medical advisors.	Health and Safety at Work Act 1974 (Section 56)
Cremation	A Medical Referee must be a Registered Medical Practitioner of at least five years standing.	Cremation (England and Wales) Regulations 2008 (SI 2008/2841)
Medical officer	The medical officer of a local education authority is a Registered Medical Practitioner engaged by the authority. Similarly, an authority's medical officer for ships and/or aircraft must be a Registered Medical Practitioner.	Education Act 1996 (Section 579) Public Health (Aircraft) Regulations 1979 Public Health (Ship) Regulations 1979
Authorised officer of a food authority	A Registered Medical Practitioner is eligible to be appointed as an authorised officer of a food authority and to act in relation to the examination and seizure of meat.	Food Safety Act 1990 Authorised Officer (Meat Inspection) Regulations 1987 (SI 1987/133)
Quarantine	Authorised quarantine premises must be under the supervision of a Registered Medical Practitioner (in the case of research premises only) or a veterinary surgeon.	Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 (SI 1974/2211)