

2012 No. 1654

HEALTH CARE AND ASSOCIATED PROFESSIONS

DOCTORS

**The General Medical Council (Constitution) (Amendment)
Order 2012**

Made - - - - - *26th June 2012*

Laid before Parliament *29th June 2012*

Coming into force - - - *1st January 2013*

At the Council Chamber, Whitehall, the 26th day of June 2012

By the Lords of Her Majesty's Most Honourable Privy Council

Their Lordships make the following Order in exercise of the powers conferred by section 1(2) of, and paragraph 1B of Schedule 1 to, the Medical Act 1983(a):

Citation, commencement and interpretation

1.—(1) This Order may be cited as the General Medical Council (Constitution) (Amendment) Order 2012.

(2) This Order comes into force on 1st January 2013.

(3) In this Order, “the Constitution Order” means the General Medical Council (Constitution) Order 2008(b).

Amendment of the Constitution Order

2.—(1) The Constitution Order is amended as follows.

(2) In article 2, in both places where it occurs, for “12” substitute “6”.

(3) For article 8 substitute—

“Appointment, term of office and cessation of office of the chair

8.—(1) The Privy Council must, as one of its functions relating to the appointment of members of the General Council, appoint the chair of the General Council.

(2) The Privy Council may appoint a person to be the chair of the General Council (“the appointee”)—

(a) 1983 c.54. Section 1(2) was substituted by S.I. 2008/1774 and paragraph 1B of Schedule 1 was substituted, together with paragraphs 1A and 1C, by the same instrument.

(b) S.I. 2008/2554.

- (a) when it appoints that person to be a member of the General Council; or
- (b) whom it has already appointed as a member of the General Council.

(3) The Privy Council must, upon making the appointment, determine the term of the appointee's office as chair and that term cannot last beyond the date on which the appointee's term of office as a member of the General Council is due to expire (irrespective of whether or not the appointee is thereafter reappointed as a member of the General Council).

(4) An appointee ceases to be chair upon—

- (a) ceasing to be a member of the General Council;
- (b) resigning as chair, which the appointee may do at any time by a notice in writing to the General Council;
- (c) suspension of the appointee's membership of the General Council by the Privy Council; or
- (d) a vote to terminate the appointee's appointment as chair by a majority of all the other members of the General Council."

(4) In article 11, for "14" substitute "7".

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision amending the General Medical Council (Constitution) Order 2008 ("the Constitution Order").

Article 2 of the Constitution Order provides for the composition of the General Medical Council ("the General Council"). Article 2(2) of this Order amends that article to change the composition from 12 registrant members and 12 lay members to 6 registrant members and 6 lay members.

Article 8 of the Constitution Order provides for the General Council to elect its Chair from its members. Article 2(3) of this Order substitutes a new article 8 which provides instead for the Chair to be appointed by the Privy Council. The Privy Council may appoint a person to be the Chair when it appoints that person to be a member of the General Council or it may appoint a person whom it has already appointed as a member of the General Council. The Privy Council must, upon making the appointment, determine the term of the appointee's office as chair. The article also provides for the cessation of the appointment of chair in specified circumstances.

Article 11 of the Constitution Order provides for the quorum of the General Council. Article 2(4) of this Order amends that article to change the quorum from 14 to 7.

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