

HEALTH AND SOCIAL CARE ACT 2008

EXPLANATORY NOTES

TERRITORIAL EXTENT

Interpretation

Part 2 – Regulation of Health Professions and Health and Social Care Workforce

The Office of the Health Professions Adjudicator

Section 110: Fees payable by General Medical Council and General Optical Council

333. **Section 110** introduces a fees charging regime from which the OHPA will secure the majority of its funding after the initial implementation period.
334. The section requires the Secretary of State to make regulations requiring each of the GMC and the GOC to pay to the OHPA a periodic fee in respect of the discharge of its functions (this is likely to be on an annual basis). Regulations made under this section will be subject to prior consultation with the two regulatory bodies and such other persons as the Secretary of State considers appropriate and will be subject to Treasury approval. The regulations will be subject to Parliamentary scrutiny under the negative resolution procedure.
335. The fee must be determined in accordance with the regulations. It is intended that the regulatory bodies will pay an amount linked to their forecasted use of the OHPA's services. The OHPA will be required to notify the regulatory bodies of the proposed fee level and to consider any representations made by the regulators on this before formally setting the fee by making a determination.
336. **Subsection (7)** enables the regulations to: provide for when the fees are to be paid; enable a fee determination to be varied, replaced or revoked in year; and make provisions about unpaid fees.