

## SCHEDULE 1

## Article 2

### INTERPRETATION

In this Order—

- “1977 Act” means the National Health Service Act 1977**(1)**;
- “1978 Act” means the National Health Service (Scotland) Act 1978**(2)**;
- “1997 Act” means the National Health Service (Primary Care) Act 1997**(3)**;
- “Appeal Panel” has the meaning assigned to it in article 21(1);
- “the Board” means the Postgraduate Medical Education and Training Board;
- “certificate of acquired rights” means a certificate issued under article 36(4) of the Directive, to the effect that its holder has an acquired right to practise as a general practitioner under the national social security scheme of the issuing State without a vocational training certificate in general practice;
- “certificate of equivalent experience” means a certificate issued by the JCPTGP pursuant to—
- (a) regulation 12 of the Vocational Training Regulations (certificate of equivalent experience) and includes for the purposes of article 11(1)(c) a certificate of equivalent experience issued under the National Health Service (Vocational Training) Regulations 1979**(4)**;
  - (b) regulation 12 of the Vocational Training Regulations (Scotland) (certificate of equivalent experience) and includes for the purposes of article 11(1)(c) a certificate of equivalent experience issued under the National Health Service (Vocational Training) (Scotland) Regulations 1980**(5)**;
  - (c) regulation 12 of the Vocational Training Regulations (Northern Ireland) (certificate of equivalent experience) and includes for the purposes of article 11(1)(c) a certificate of equivalent experience issued under the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1979**(6)**,
- or a certificate issued by the Board, in accordance with those provisions, pursuant to the transitional, transitory, and saving provisions in Schedule 8;
- “certificate of prescribed experience” means a certificate issued by the JCPTGP pursuant to—
- (a) regulation 10 of the Vocational Training Regulations (certificate of prescribed experience) and includes for the purposes of article 11(1)(b) a certificate of equivalent experience issued under the National Health Service (Vocational Training) Regulations 1979**(7)**;
  - (b) regulation 10 of the Vocational Training Regulations (Scotland) (certificate of prescribed experience) and includes for the purposes of article 11(1)(b) a certificate of equivalent experience issued under the National Health Service (Vocational Training) (Scotland) Regulations 1980**(8)**;
  - (c) regulation 10 of the Vocational Training Regulations (Northern Ireland) (certificate of prescribed experience) and includes for the purposes of article 11(1)(b) a certificate

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(1) 1977 c. 49.

(2) 1978 c. 29.

(3) 1997 c. 46.

(4) S.I. 1979/1644. These Regulations were revoked by S.I. 1997/2817.

(5) S.I. 1980/30. These Regulations were revoked by S.I. 1998/5.

(6) S.R. 1979 No. 460. These Rules were revoked by S.R. 1998 No.13.

(7) S.I. 1979/1644. These Regulations were revoked by S.I. 1997/2817.

(8) S.I. 1980/30. These Regulations were revoked by S.I. 1998/5.

*Status: This is the original version (as it was originally made).*

of equivalent experience issued under the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1979<sup>(9)</sup>,

or a certificate issued by the Board, in accordance with those provisions, pursuant to the transitional, transitory, and saving provisions in Schedule 8;

“competent authority”, in relation to an EEA State, means the authority or body designated by that State as competent for the relevant purposes of the Directive;

“consultant in the National Health Service” means a consultant other than a locum consultant (but including an honorary consultant) employed for the purposes of providing any service as part of the National Health Service;

“CCT” means Certificate of Completion of Training awarded under article 8, including any such certificate awarded in pursuance of the Board’s competent authority functions specified in article 20(3)(a);

“CCST” means a Certificate of Completion of Specialist Training awarded by the STA under the ESMQO 1995 or a Certificate of Completion of Specialist Training issued by the Board, in accordance with the provisions of the ESMQO 1995, pursuant to the transitional, transitory, and saving provisions in Schedule 8;

“the Directive” means Council Directive [93/16/EEC](#) of 5th April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications<sup>(10)</sup>—

(a) as adapted by paragraph 4(b), (c) and (d) of Annex VII to the EEA Agreement (where the specialist medical qualifications awarded in certain EEA States<sup>(11)</sup> and the names given to specialities in those States are set out); and

(b) as amended by—

(i) the Act annexed to the Treaty relating to the accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden signed at Corfu on 24th June 1994<sup>(12)</sup>, as adjusted by the Decision of the Council of the European Union of 1st January 1995 adjusting the instruments concerning the accession of new Member States to the European Union<sup>(13)</sup>,

(ii) Council Directive [97/50/EC](#)<sup>(14)</sup>, Commission Directive [98/21/EC](#)<sup>(15)</sup>, Commission Directive [98/63/EC](#)<sup>(16)</sup>, Commission Directive [1999/46/EC](#)<sup>(17)</sup> and Directive [2001/19/EC](#)<sup>(18)</sup>, and

(iii) the Agreement between the European Community and its Member States of the one part, and the Swiss Confederation, of the other, on the free movement of persons, signed at Luxembourg on 21st June 1999;

“EEA” means European Economic Area which shall be read as including Switzerland;

“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 <sup>(19)</sup> as adjusted by the Protocol signed at Brussels on 17th March 1993<sup>(20)</sup>,

<sup>(9)</sup> S.R. 1979 No. 460. These Rules were revoked by S.R. 1998 No. 13.

<sup>(10)</sup> O.J. No. L165, 7.7.1993, p. 1. This Directive is a consolidation of the earlier Directives as indicated in Annex IV to the Directive, and was applied to EEA States other than members of the EC by Decision No. 7/94 of the EEA Joint Committee of 21 March 1994 (O.J. No. L 160, 28.6.94, p. 1).

<sup>(11)</sup> These States are Austria, Finland, Iceland, Liechtenstein, Norway and Sweden.

<sup>(12)</sup> O.J. No. C241, 29.8.84, p. 21. Norway did not ratify the Treaty.

<sup>(13)</sup> O.J. No. L1, 1.1.1995, p. 1.

<sup>(14)</sup> O.J. No. L291, 24.1.1997, p. 35.

<sup>(15)</sup> O.J. No. L119, 22.4.98, p. 15.

<sup>(16)</sup> O.J. No. L253, 15.9.98, p. 24.

<sup>(17)</sup> O.J. No. L139, 2.6.99, p. 25.

<sup>(18)</sup> O.J. No. L206, 31.7.2001, p. 1.

<sup>(19)</sup> O.J. No. L 1, 3.1.1994, p. 3.

<sup>(20)</sup> O.J. No. L 1, 3.1.1994, p. 572.

as amended by Decisions of the EEA Joint Committee Nos. 190/1999 of 17th December 1999(21), 89/2000 of 27th October 2000(22) and 84/2002 of 25th June 2002(23);

“EEA State” means a Contracting Party to the EEA Agreement or Switzerland;

“ESMQO 1995” means the European Specialist Medical Qualifications Order 1995(24);

“fee” shall be construed in accordance with article 24;

“general practitioner” means a general medical practitioner;

“GMC” means the General Medical Council;

“General Practitioner Register” means the register maintained by the GMC pursuant to article 10(1);

“GP Registrar” has the meaning assigned to it in article 5(5);

“GP Trainer” has the meaning assigned to it in article 5(4);

“JCPTGP” means the Joint Committee on Postgraduate Training for General Practice;

“Medical Act” means the Medical Act 1983(25);

“National Health Service” means the health services established in pursuance of the National Health Service Act 1946, the National Health Service (Scotland) Act 1947 or any health services provided in pursuance of article 4(a) of the Health and Personal Social Services (Northern Ireland) Order 1972(26);

“prescribed” means prescribed in rules made by the Board;

“registered dentist” has the same meaning as in the Dentists Act 1984(27);

“the Registers” means the General Practitioner Register and the Specialist Register;

“restricted services principal” means the same as in the National Health Service (General Medical Services) Regulations 1992(28), the National Health Service (General Medical Services) (Scotland) Regulations 1995(29), or the General Medical Services Regulations (Northern Ireland) 1997(30), as the case may be;

“the 1994 Regulations” means the Vocational Training for General Medical Practice (European Requirements) Regulations 1994(31);

“Specialist Register” means the register maintained by the GMC pursuant to article 13(1);

“statement of eligibility for registration” has the meaning assigned to it in article 11(7) for general practitioners and article 14(11) for specialist medical practitioners;

“statutory committees” has the meaning assigned to it in article 3(8);

“STA” means the Specialist Training Authority of the medical Royal Colleges;

“United Kingdom country” means England, Scotland, Wales or Northern Ireland;

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(21) O.J. No. L74, 15.3.2001, p. 26.

(22) O.J. No. L7, 11.1.2001, p. 9.

(23) O.J. No. L266, 3.10.2002, p. 36. The Agreement has also been amended by other decisions which are not relevant to the Directive.

(24) S.I. 1995/3208, relevant amendments to which were made by S.I. 1997/2928, 1999/1373 and 3154, and 2002/849.

(25) 1983 c. 54; as amended by: the Medical (Professional Performance) Act 1995 (c. 51); the National Health Service (Primary Care) Act 1997 (c. 46); the National Health Service Reform and Health Care Professions Act 2002 (c. 17); and S.I. 1986/23, 1996/1591, 2000/1803, 2000/3041 and 2002/3135.

(26) S.I. 1972/1265 (NI).

(27) 1984 c. 24.

(28) S.I. 1992/635.

(29) S.I. 1995/416.

(30) S.R. 1997 No. 380.

(31) S.I. 1994/3130.

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“vocational training certificate” means a diploma, certificate or other evidence of formal qualifications awarded on completion of a course of specific training in general medical practice and referred to in Article 30 of the Directive;

“Vocational Training Regulations” means the National Health Service (Vocational Training for General Medical Practice) Regulations 1997<sup>(32)</sup>;

“Vocational Training Regulations (Northern Ireland)” means the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1998<sup>(33)</sup>; and

“Vocational Training Regulations (Scotland)” means the National Health Service (Vocational Training for General Medical Practice) (Scotland) Regulations 1998<sup>(34)</sup>.

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<sup>(32)</sup> S.I. 1997/2817, relevant amendments to which were made by S.I. 1998/669.

<sup>(33)</sup> S.R. 1998 No. 13.

<sup>(34)</sup> S.I. 1998/5, relevant amendments to which were made by S.I. 1998/669 and S.I. 2000/23.