
Status: Point in time view as at 01/07/2009.

Changes to legislation: There are currently no known outstanding effects for the The Health Professions Council (Registration and Fees) Rules Order of Council 2003. (See end of Document for details)

STATUTORY INSTRUMENTS

2003 No. 1572

**HEALTH CARE AND
ASSOCIATED PROFESSIONS
HEALTH PROFESSIONS**

**The Health Professions Council (Registration
and Fees) Rules Order of Council 2003**

Made - - - - *13th June 2003*
Laid before Parliament *17th June 2003*
Coming into force - - *9th July 2003*

At the Council Chamber, Whitehall, the 13th day of June 2003
By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in exercise of the powers conferred on it by articles 5(2)(b), 7, 9(2), 10, 11, 12(1)(c)(iii), 33 and 41(2) of the Health Professions Order 2001^{M1}, and of all other powers enabling it in that behalf, the Health Professions Council has made the Health Professions Council (Registration and Fees) Rules 2003 as set out in the Schedule to this Order:

And whereas by articles 41(1) and 42 of the Health Professions Order 2001 such Rules shall not come into force until approved by order of the Privy Council:

Now, therefore, Their Lordships, having taken the Rules into consideration, are pleased to, and do hereby, approve them.

Marginal Citations

M1 [S.I. 2002/254.](#)

This Order may be cited as the Health Professions Council (Registration and Fees) Rules Order of Council 2003 and shall come into force on 9th July 2003.

A. K. Galloway
Clerk of the Privy Council

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SCHEDULE

THE HEALTH PROFESSIONS COUNCIL (REGISTRATION AND FEES) RULES 2003

The Health Professions Council, in exercise of its powers under articles 5(2)(b), 7, 9(2), 10, 11, 12(1) (c)(iii), 33 and 41(2) of the Health Professions Order 2001 ^{M2} and of all other powers enabling it in that behalf and following consultation in accordance with articles 5(2)(a), 7(1), 7(3) and 41(3) of that Order, hereby makes the following Rules:

Marginal Citations

M2 S.I. 2002/254.

Marginal Citations

M2 S.I. 2002/254.

Citation and commencement

1. These Rules may be cited as the Health Professions Council (Registration and Fees) Rules 2003 and shall come into force on 9th July 2003.

Interpretation

2. In these Rules—

[^{F1}“attesting State”, in relation to an application, is—

- (a) the relevant European State in which the applicant obtained his qualification in the profession to which his application relates; or
- (b) (if different) the relevant European State from which the applicant comes to the United Kingdom;]

“Committee” means the Education and Training Committee of the Council;

[^{F2}“competent authority”, in relation to an application, means any authority or body of a relevant European State designated by that State for the purposes of Directive 2005/36/EC of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications, as competent to—

- (a) receive or issue evidence of qualifications or other information or documents, or
- (b) receive applications and take the decisions referred to in that Directive,

in connection with the practice of the profession to which the applicant's application relates;; and]

“doctor” means a registered medical practitioner;

^{F3}

“the Order” means the Health Professions Order 2001;

“relative”, in relation to any person, means—

- (a) his spouse [^{F4}or civil partner];

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- (b) any lineal ancestor, lineal descendant, brother, sister, aunt, uncle, nephew, niece, or first cousin, of his or of his spouse [^{F4}or civil partner]; or
 - (c) the spouse [^{F4}or civil partner] of any relative mentioned in paragraph (b),
- and for the purposes of deducing any such relationship “spouse [^{F4}or civil partner]” includes a former spouse [^{F4}or civil partner], a partner to whom the person is not married, and a partner of the same sex.

Textual Amendments

- F1** Words in rule 2 inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **279(2)(a)**
- F2** Words in rule 2 substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **279(2)(b)**
- F3** Words in rule 2 omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **279(2)(c)**
- F4** Words in rule 2 inserted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), art. 2(2), reg. 1, **Sch. 2 para. 3(2)**

[^{F5}Application to visiting health professionals from relevant European States

2A. These Rules shall not apply in relation to visiting health professionals from relevant European States or in respect of a person's registration in exercise of entitlement under article 13A of the Order, except for rules 3 (the register), 9 (amendments to register), 11A (continuing professional development) and 12 (application for removal from the register).]

Textual Amendments

- F5** Rule 2A inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **279(3)**

The Register

3.—(1) There shall be entered in the register against the full name of each registrant—

- (a) his registration number;
- (b) his last known home address; and
- (c) any qualification of the registrant which has led to his registration.

(2) The home address of a registrant shall not be included in any published version of the register without his consent.

(3) The entries for registrants in each part of the register shall appear in the alphabetical order of their surnames.

(4) The Registrar may enter on the register any other information which is material to a registrant's registration.

(5) The Registrar shall keep the register in a form and manner which guards against falsification and shall take all reasonable steps to ensure that only he and such persons as have been authorised by him in writing for the purpose shall be able to amend the register or have access to the version of the register which contains entries which are not included in the published version of the register.

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Applications for registration

4.—(1) [^{F6}Subject to paragraph (1A),] an application for admission to a part of the register shall be—

- (a) made in writing on the form [^{F7}provided by the Council containing the declaration and information listed in Schedule 1];
- (b) signed by the applicant;
- [^{F8}(c) accompanied by—
 - (i) the registration fee prescribed in rule 14, and
 - (ii) the scrutiny fee prescribed in rule 17; and]
- (d) sent or given to the Registrar.

[^{F9}(1A) The Registrar may accept an application for registration which is not made in accordance with paragraphs (1)(a) and (b) if the applicant has—

- (a) submitted by electronic means to the Registrar the information which he would be required to provide if the application was submitted in writing on the form [^{F10}provided by the Council containing the declaration and information listed in Schedule 1] and has included with that information an attestation as to its accuracy; and
 - (b) complied with all of the other requirements of this rule which apply to him.]
- (2) The applicant shall provide in connection with the application for registration—
- (a) subject to paragraph (3), a reference as to the good character of the applicant given on the form [^{F11}provided by the Council containing the declaration and information listed in Schedule 3] by a person who—
 - (i) is not a relative of the applicant,
 - (ii) is a person of standing in the community which includes a registered professional, doctor, solicitor, accountant, bank manager, Justice of the Peace, principal of the institution which granted the applicant an approved qualification or a person authorised to provide character references by the principal of that institution, Minister of the Church, Rabbi, Imam or other religious official acceptable to the Council, and
 - (iii) has known the applicant for a period of at least three years;
 - (b) subject to [^{F12}paragraphs (3)] and (5), a reference as to the physical and mental health of the applicant given on the form [^{F13}provided by the Council containing the declaration and information listed in Schedule 4] by the applicant's doctor provided he—
 - (i) is not a relative of the applicant, and
 - (ii) has been the applicant's doctor (or in the case of a general practitioner is a partner in the practice of the doctor of whom the applicant has been a patient) for a period of at least three years ending on the date on which the reference is given;
 - (c) one of the following—
 - (i) the document which confers an approved qualification on the applicant or other evidence demonstrating that the applicant holds an approved qualification,
 - (ii) where the applicant is relying on article 12(1)(b) of the Order, the certificate or other document issued by a competent authority of his [^{F14}attesting State] attesting to the applicant's qualifications and, where appropriate, experience in respect of the profession to which his application relates, or

- (iii) where his application is made under article 13 of the Order, such documents, information or evidence as the Committee may reasonably require for the purposes of determining whether by virtue of that article the applicant is to be treated as satisfying the requirements of article 9(2)(a) of the Order, including evidence that he holds the qualification on which he relies in making his application and information as to whether he has been a member of a professional body or has had professional indemnity insurance; and
 - (d) such other documents, information or evidence as the Committee may reasonably require for the purposes of verifying the information in and determining the application.
- [^{F15}(3) Where an applicant (“A”) is relying on article 12(1)(b) of the Order—
- (a) he may provide, in place of the character reference referred to in paragraph (2)(a), a certificate of good character—
 - (i) to which either paragraph (3A) or (3B) applies, and
 - (ii) issued within the three months preceding the date of A's application; and
 - (b) he shall provide, in place of the health reference referred to in paragraph (2)(b), a certificate of good health—
 - (i) to which either paragraph (4) or (4A) applies, and
 - (ii) issued within the three months preceding the date of A's application.
- (3A) This paragraph applies to a certificate which—
- (a) attests to A's good character or good repute; and
 - (b) is issued by a competent authority in A's attesting State.
- (3B) If no such certificate is issued by a competent authority in A's attesting State, this paragraph applies to a certificate—
- (a) attesting to the authenticity of a declaration on oath made by A—
 - (i) before a competent judicial or administrative authority, notary or qualified professional body of A's attesting State, and
 - (ii) attesting to A's good character; and
 - (b) issued by the authority, notary or body referred to in sub-paragraph (a)(i).
- In this paragraph, “declaration on oath” includes a solemn declaration.
- (4) This paragraph applies to a certificate which—
- (a) attests to A's good physical and mental health; and
 - (b) is required of a person who wishes to practise the profession to which A's application relates in A's attesting State.
- (4A) If no such certificate is required of persons who wish to practise the profession to which A's application relates in A's attesting State, this paragraph applies to a certificate which—
- (a) attests to A's good physical and mental health; and
 - (b) is issued by a competent authority in A's attesting State.]
- (5) Where the Committee is satisfied that the applicant cannot provide a health reference in the terms provided by paragraph (2)(b) ^{F16} ..., the Committee may permit an applicant to provide evidence of his physical and mental health—
- (a) by a reference given by a doctor who, in giving the reference, relies on the medical records of the applicant made by another doctor of whom the applicant has been a patient and which relate to a period of at least three years ending on the date on which the reference is given;

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- (b) by an examination by a doctor nominated by the Committee; or
- (c) by such other manner as the Committee considers appropriate in a particular case.

Textual Amendments

- F6** Words in rule 4(1) inserted (18.10.2004) by The Health Professions Council (Registration and Fees) (Amendment) Rules Order of Council 2004 (S.I. 2004/2524), rules 1, **3(1)(a)**
- F7** Words in rule 4(1)(a) substituted (8.7.2005) by The Health Professions Council (Practice Committees and Registration) (Amendment) Rules Order of Council 2005 (S.I. 2005/1625), Sch. rules 1, **6(1)(a)**
- F8** Rule 4(1)(c) substituted (1.6.2007) by The Health Professions Council (Registration and Fees) (Amendment) Rules Order of Council 2007 (S.I. 2007/1280), Sch. rules 1(1), **2**
- F9** Rule 4(1A) inserted (18.10.2004) by The Health Professions Council (Registration and Fees) (Amendment) Rules Order of Council 2004 (S.I. 2004/2524), rules 1, **3(1)(c)**
- F10** Words in rule 4(1A)(a) substituted (8.7.2005) by The Health Professions Council (Practice Committees and Registration) (Amendment) Rules Order of Council 2005 (S.I. 2005/1625), Sch. rules 1, **6(1)(a)**
- F11** Words in rule 4(2)(a) substituted (8.7.2005) by The Health Professions Council (Practice Committees and Registration) (Amendment) Rules Order of Council 2005 (S.I. 2005/1625), Sch. rules 1, **6(1)(b)**
- F12** Words in rule 4(2)(b) substituted (3.12.2007) by The European Qualifications (Health and Social Care Professions) Regulations 2007 (S.I. 2007/3101), regs. 1(2), **279(4)(a)(i)**
- F13** Words in rule 4(2)(b) substituted (8.7.2005) by The Health Professions Council (Practice Committees and Registration) (Amendment) Rules Order of Council 2005 (S.I. 2005/1625), Sch. rules 1, **6(1)(c)**
- F14** Words in rule 4(2)(c)(ii) substituted (3.12.2007) by The European Qualifications (Health and Social Care Professions) Regulations 2007 (S.I. 2007/3101), regs. 1(2), **279(4)(a)(ii)**
- F15** Rule 4(3)-(4A) substituted for rule 4(3)(4) (3.12.2007) by The European Qualifications (Health and Social Care Professions) Regulations 2007 (S.I. 2007/3101), regs. 1(2), **279(4)(b)**
- F16** Words in rule 4(5) omitted (3.12.2007) by virtue of The European Qualifications (Health and Social Care Professions) Regulations 2007 (S.I. 2007/3101), regs. 1(2), **279(4)(c)**

Other conditions of registration

5.—(1) For the purpose of satisfying itself as to the good character of the applicant, the Committee shall have regard to—

- (a) the character reference provided under rule 4(2)(a)^{F17}, (3A) or (3B)];
- (b) any conviction or caution which the applicant has received in the United Kingdom for a criminal offence or a conviction received elsewhere for an offence which, if committed in England and Wales, would constitute a criminal offence;
- (c) any determination by a body responsible for regulating or licensing a health or social care profession to the effect that the applicant's fitness to practise is impaired; and
- (d) any other matters which, in the opinion of the Committee, appear to be relevant to the issue,

and for this purpose the Committee may seek information additional to that provided with the application for registration from any person or source as it considers appropriate.

(2) For the purpose of being satisfied as to the physical and mental health of the applicant, the Committee shall have regard to—

- (a) the health reference or other evidence provided under rule 4(2)(b), (4)^{F18}, (4A)] or (5); and
- (b) such other matters as appear to it to be relevant,

and for this purpose the Committee may seek information additional to that provided with the application for registration from the applicant and from any other person or source as it considers appropriate and may require the applicant to be examined or further examined by a doctor nominated by the Committee.

Textual Amendments

- F17** Words in rule 5(1)(a) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **279(5)(a)**
- F18** Word in rule 5(2)(a) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **279(5)(b)**

Prescribed periods for additional education and training requirements

6.—(1) The prescribed period for the purposes of article 9(2)(a)(i) of the Order is five years (period within which a qualification must have been awarded).

(2) The prescribed period for the purposes of article 10(2)(c) of the Order is two years (period for which a person must have practised since his first registration or latest renewal of registration).

[^{F19}(3) A person to whom article 9(2)(a)(ii) or 10(2)(c) of the Order applies shall not be admitted or re-admitted to the register or have his registration renewed unless he has—

- (a) undertaken such education or training; or
- (b) gained such experience,

as the Council may specify in standards under article 19(4)(b) of the Order and which apply to him.]

Textual Amendments

- F19** Rule 6(3) added (8.7.2005) by [The Health Professions Council \(Practice Committees and Registration\) \(Amendment\) Rules Order of Council 2005 \(S.I. 2005/1625\)](#), Sch. rules 1, **6(2)**

Knowledge of the English language

7. The Committee may require an applicant who is not an ^{F20}... exempt person to produce evidence that he has sufficient knowledge of spoken and written English to enable him to practise as a registered professional in the United Kingdom safely and competently.

Textual Amendments

- F20** Words in rule 7 omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **279(6)**

Certificates

8.—(1) The Registrar shall, upon entering the name of a person in the register, issue to that registrant a certificate, in a form determined by the Council, which includes the part of the register in which he is registered, any designated title he may use and the date of registration.

(2) Any certificate issued in accordance with paragraph (1) shall remain the property of the Council and shall be surrendered to the Registrar by the person if—

- (a) a striking off order is made against him;
- (b) his name is removed from the register; or
- (c) for any other reason, the certificate no longer accurately reflects his entry in the register.

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(3) Where any certificate is surrendered by a registrant in accordance with paragraph (2)(c) the Registrar shall issue a replacement certificate to that registrant which accurately reflects his entry in the register.

Amendments to register

9.—(1) A registrant shall notify the Registrar in writing within one month of any change in the registrant's name or home address as given in the register.

(2) The Registrar shall amend the register, so far as may be necessary—

- (a) in consequence of any notification under paragraph (1);
- (b) to give effect to any order made by a Practice Committee under Part V of the Order;
- (c) to give effect to any decision on appeal under article 37 or 38 of the Order; and
- (d) to reflect any other information which comes to the attention of the Registrar and which in the Registrar's opinion requires such an amendment to be made in order to maintain the register's accuracy.

(3) Before making any amendment under paragraph (2)(a) or (d) the Registrar may make such further enquiries or require such further evidence from the registrant concerned as appears to the Registrar to be appropriate.

Registration period

10.—(1) A person's registration period is to be determined in accordance with this rule.

(2) The first registration period of a person who, on the date of the coming into force of the first order made by the Privy Council under article 6 of the Order, is transferred to the register from a register maintained under the 1960 Act will end on the date that his last renewal of registration under the 1960 Act would have expired.

[^{F21}(2A) The first registration period of a practitioner psychologist who, on 1st July 2009, is transferred to the register by virtue of article 5(3) of the Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009 (transitory and transitional provisions relating to the introduction of statutory regulation of practitioner psychologists), will end on 31st October 2009.]

(3) Except as provided for in paragraph (2) [^{F22}or (2A)], a person's first registration period shall begin on the day on which he is first registered in respect of the profession concerned and shall end [^{F23}on the next occurrence of] the date shown in column 2 of Schedule 5 opposite the part of the register shown in column 1 of Schedule 5 in which he is registered.

(4) In respect of any registrant, subject to paragraph (5), a registration period subsequent to the first registration period ^{F24}... shall begin on the day after the previous registration period ends and shall [^{F25}end on the next occurrence of the date shown in column 2 of Schedule 5 opposite the part of the register shown in column 1 of Schedule 5 in which he is registered].

(5) If a person's name is removed from the register and he is thereafter readmitted or restored to the register, his registration period shall begin on the day on which he is readmitted or restored and shall end [^{F26}on the next occurrence of] the date shown in column 2 of Schedule 5 opposite the part of the register shown in column 1 of Schedule 5 in which he is registered.

Textual Amendments

F21 Rule 10(2A) inserted (1.7.2009) by [The Health Professions Council \(Practice Committees and Miscellaneous Amendments\) Rules Order of Council 2009 \(S.I. 2009/1355\)](#), Sch. rules 1(a), **9(a)(i)**

- F22** Words in rule 10(3) inserted (1.7.2009) by The Health Professions Council (Practice Committees and Miscellaneous Amendments) Rules Order of Council 2009 (S.I. 2009/1355), Sch. rules 1(a), **9(a)(ii)**
- F23** Words in rule 10(3) substituted (18.10.2004) by The Health Professions Council (Registration and Fees) (Amendment) Rules Order of Council 2004 (S.I. 2004/2524), rules 1, **3(2)(a)**
- F24** Words in rule 10(4) revoked (18.10.2004) by The Health Professions Council (Registration and Fees) (Amendment) Rules Order of Council 2004 (S.I. 2004/2524), rules 1, **3(2)(b)(i)**
- F25** Words in rule 10(4) substituted (18.10.2004) by The Health Professions Council (Registration and Fees) (Amendment) Rules Order of Council 2004 (S.I. 2004/2524), rules 1, **3(2)(b)(ii)**
- F26** Words in rule 10(5) substituted (18.10.2004) by The Health Professions Council (Registration and Fees) (Amendment) Rules Order of Council 2004 (S.I. 2004/2524), rules 1, **3(2)(c)**

Renewal of registration

11.—(1) Not less than 42 days before his registration period ends the Committee shall send to a registrant—

- (a) an application [^{F27}form for the renewal of his registration which shall include the declaration and information listed in Schedule 2];
- (b) notice of the renewal fee prescribed in rule 15; and
- (c) a notice warning the registrant that unless a completed application form accompanied by the renewal fee is received by the Committee on or before the date specified in the notice, the registrant is liable to be removed from the register.

(2) If an application accompanied by the renewal fee is not received by the Committee by the date specified in the notice sent under paragraph (1)(c) the Committee shall send a final notice to the registrant warning that unless his application and fee are received within 14 days (beginning with the day on which the Committee sent the final notice) the registrant's name may be removed from the register, and if no such application and payment is made the Committee may direct the Registrar to remove the registrant from the register on the expiry of the 14 days or, if later, when the registrant's registration period has ended.

(3) Any form, warning or notice to be given by the Committee to a registrant under this rule may be sent by post to the home address of the registrant as it appears in the register and shall be treated as sent at the time of its posting.

Textual Amendments

- F27** Words in Rule 11(1)(a) substituted (8.7.2005) by The Health Professions Council (Practice Committees and Registration) (Amendment) Rules Order of Council 2005 (S.I. 2005/1625), Sch. rules 1, **6(3)**

[^{F28}Continuing professional development

11A.—(1) A registrant must—

- (a) undertake continuing professional development in accordance with the standards specified by the Council under article 19(4)(a) of the Order and which apply to him; and
 - (b) maintain an up to date record (including any supporting documents or other evidence) of the continuing professional development he has undertaken.
- (2) The Committee may at any time send a notice to a registrant requiring him to—
- (a) submit his continuing professional development record for inspection; and
 - (b) provide the Committee with such other evidence as it may reasonably require,

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within such time period as the Committee may specify in the notice (which shall be at least 21 days beginning with the day on which the notice was sent), for the purpose of determining whether the health professional has met the requirements of paragraph (1).

(3) Where, from the information supplied by the registrant in accordance with paragraph (2), the Committee is not satisfied that he has complied with a requirement imposed by paragraph (1)(a) or (b), the Committee shall send the registrant a notice—

- (a) providing a statement of the reasons why the Committee is not satisfied that the registrant has complied with the requirement; and
- (b) inviting the registrant to submit his observations on the matter by the date specified in the notice, which shall be at least 14 days beginning with the date on which the notice was sent.

(4) If, after considering any observations, the Committee is of the view that the registrant has not complied with a requirement imposed by paragraph (1)(a) or (b), the Committee may instruct the Registrar to remove the name of the registrant from the register.

(5) If a registrant fails to respond to a notice sent to him by the Committee under paragraph (2) within the period specified in the notice, the Committee shall send him a further notice warning that, if he does not respond to the original notice before the end of the period of 14 days beginning with the day on which the further notice was sent, his name may be removed from the register.

(6) If a registrant does not respond by the date specified in the notice under paragraph (2) or the further notice under paragraph (5), then the Committee may instruct the Registrar to remove the name of the registrant from the register.]

Textual Amendments

F28 Rule 11A added (8.7.2005) by [The Health Professions Council \(Practice Committees and Registration\) \(Amendment\) Rules Order of Council 2005 \(S.I. 2005/1625\)](#), Sch. rules 1, **6(4)**

Application for removal from the register

12.—(1) Without prejudice to any other power of the Registrar to remove a registrant's name from the register, the Registrar may remove the name of a registrant from the register upon written application made by or on behalf of that registrant.

(2) An application for the removal of a name from the register shall be made in writing and shall be accompanied by a declaration that the registrant concerned is not aware of any matter which could give rise to an allegation against him under article 22 of the Order.

(3) The Registrar may not remove the name of a registrant from the register under this rule if the registrant is subject to any allegation, investigation, proceedings or order of a kind mentioned in rule 13(5).

Lapse of registration

13.—(1) Where in accordance with article 10(3) of the Order, the Committee renews a registrant's registration subject to a condition that he satisfies a specified requirement of article 10(2)(b) or (c) of the Order within a specified time, the Committee shall inform the registrant at the time it renews his registration that he must, before the expiry of the specified time, confirm in writing that he has complied with the condition and provide evidence which satisfies the Committee that he has done so.

(2) If, by the expiry of the specified time, the Committee—

- (a) does not receive the written confirmation and evidence; or
- (b) is not satisfied that the registrant has complied with the condition,

it shall send a notice to the registrant stating that, unless before the end of the period of 14 days beginning with the day on which the Committee sent the notice he provides the confirmation and evidence that he has complied with the condition his name will be removed from the register.

(3) If the written confirmation and evidence are not received or the Committee is not satisfied that the registrant has complied with the specified condition within the specified time, the Committee shall instruct the Registrar to remove the registrant's name from the register.

(4) Where the Committee instructs the Registrar to remove a registrant's name from the register in accordance with paragraph (3) the Committee shall send him a notice informing him of that fact and advising him of his right of appeal under article 37 of the Order.

(5) A person's registration shall not lapse and his name shall not be removed from the register under article 10(3) or 11 of the Order if that person—

- (a) is the subject of an allegation under article 22(1) of the Order (or is treated as if he were the subject of an allegation under article 22(6) of the Order) or is the subject of any investigation or proceedings under Part V or VI of the Order, on the grounds only that he has not paid the prescribed fee or has failed to apply for renewal in the prescribed form or within the prescribed time; or
- (b) is the subject of a suspension order, conditions of practice order, interim suspension order or interim conditions of practice order.

Registration fee

14.—(1) Subject to paragraph (2) [F²⁹ and (3)] the fee to be charged for registration following an application for registration is—

- (a) in respect of the first registration period (as determined in accordance with rule 10(3)), where the applicant applies less than [F³⁰ two years] after the date on which he was first awarded an approved qualification, [F³¹ £76]; and
- (b) in all other cases, [F³² £152].

(2) A person who, on the date of the coming into force of the first order made by the Privy Council under article 6 of the Order, is transferred to the register from a register maintained under the 1960 Act and whose first registration period is determined in accordance with rule 10(2) shall not be liable to pay a registration fee in respect of that first registration period.

[F³³(3) A person—

- (a) who, on 1st July 2009, is transferred to the register by virtue of article 5(3) of the Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009 (transitory and transitional provisions relating to the introduction of statutory regulation of practitioner psychologists); and
- (b) whose first registration period is determined in accordance with rule 10(2A),

shall not be liable to pay a registration fee in respect of that first registration period.]

Textual Amendments

- F29** Words in rule 14(1) inserted (1.7.2009) by [The Health Professions Council \(Practice Committees and Miscellaneous Amendments\) Rules Order of Council 2009 \(S.I. 2009/1355\)](#), Sch. rules 1(a), **9(b)(i)**
- F30** Words in rule 14(1)(a) substituted (1.6.2007) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2007 \(S.I. 2007/1280\)](#), Sch. rules 1(1), **3(a)(i)**
- F31** Word in rule 14(1)(a) substituted (1.4.2009) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2009 \(S.I. 2009/272\)](#), Sch. rules 1, **2(2)(a)**

Status: Point in time view as at 01/07/2009.

Changes to legislation: There are currently no known outstanding effects for the The Health Professions Council (Registration and Fees) Rules Order of Council 2003. (See end of Document for details)

- F32** Word in rule 14(1)(b) substituted (1.4.2009) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2009 \(S.I. 2009/272\)](#), Sch. rules 1, **2(2)(b)**
- F33** Rule 14(3) inserted (1.7.2009) by [The Health Professions Council \(Practice Committees and Miscellaneous Amendments\) Rules Order of Council 2009 \(S.I. 2009/1355\)](#), Sch. rules 1(a), **9(b)(ii)**

Renewal fee

- ^{F34}**15.** The fee to be charged for renewal of registration is—
- (a) in the case of a practitioner psychologist for the registration period from 1st November 2009 to 31st May 2011, £120; and
 - (b) in all other cases, £152.]

Textual Amendments

- F34** Rule 15 substituted (1.7.2009) by [The Health Professions Council \(Practice Committees and Miscellaneous Amendments\) Rules Order of Council 2009 \(S.I. 2009/1355\)](#), Sch. rules 1(a), **9(c)**

^{F35}Readmission fee

- 15A.** The fee to be charged for readmission to the register is [^{F36}£267].]

Textual Amendments

- F35** Rules 15, 15A substituted for (1.6.2007) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2007 \(S.I. 2007/1280\)](#), Sch. rules 1(1), **4**
- F36** Word in rule 15A substituted (1.4.2009) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2009 \(S.I. 2009/272\)](#), Sch. rules 1, **2(4)**

Restoration fee

- 16.** The fee to be charged for restoring an entry in the register is [^{F37}£267].

Textual Amendments

- F37** Word in rule 16 substituted (1.4.2009) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2009 \(S.I. 2009/272\)](#), Sch. rules 1, **2(5)**

^{F38}Reduced Fees

16A.—(1) A person whose registration period, as determined in accordance with rule 10(3) or (5), is not more than one year shall only be liable to pay half the registration fee, readmission fee or restoration fee which he would otherwise be liable to pay under [^{F39}rule 14, 15, 15A or 16] in respect of that registration period.

- (2) The Council may—
- (a) waive payment of or reduce any fee or part of a fee otherwise payable under these Rules; or
 - (b) refund the whole or part of any fee paid under these Rules.]

Textual Amendments

- F38** Rule 16A inserted (18.10.2004) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2004 \(S.I. 2004/2524\)](#), rules 1, **3(3)**
- F39** Words in rule 16A(1) substituted (1.6.2007) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2007 \(S.I. 2007/1280\)](#), Sch. rules 1(1), **6**

[^{F40}Scrutiny fees

17.—(1) The fee to be charged for scrutinising an application for registration where the applicant is relying on article 12(1)(a) of the Order is [^{F41}£53].

(2) The fee to be charged for scrutinising an application for registration where the applicant is relying on article 12(1)(b) or (c) of the Order, or is seeking to be treated as satisfying the requirements of article 9(2)(a) by virtue of article 13 of the Order, is [^{F42}£420].

(3) The appropriate scrutiny fee shall be paid at the time an application for registration to which it applies is made.]

Textual Amendments

- F40** Rule 17 substituted (1.6.2007) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2007 \(S.I. 2007/1280\)](#), Sch. rules 1(1), **7**
- F41** Word in rule 17(1) substituted (1.4.2009) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2009 \(S.I. 2009/272\)](#), Sch. rules 1, **2(6)(a)**
- F42** Word in rule 17(2) substituted (1.4.2009) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2009 \(S.I. 2009/272\)](#), Sch. rules 1, **2(6)(b)**

Payment of fees

18.—(1) Subject to paragraph (2) the Registrar shall not include a person's name in the register on an application for registration, readmission or restoration or, except as provided in rule 11, renew an entry in the register relating to any person, unless he has paid the prescribed registration fee, readmission fee, restoration fee or renewal fee.

(2) A person may, with the agreement of the Registrar, elect to pay any registration fee, readmission fee, restoration fee or renewal fee in four six-monthly instalments by direct debit and in that event—

- (a) the Registrar may make, renew or restore a register entry once the first instalment of that fee has been paid by direct debit; and
- (b) references in these Rules to an application being accompanied by any such fee shall be construed as if they were references to the application being accompanied by a direct debit mandate in respect of those fees.

(3) Where—

- (a) it has been agreed in accordance with paragraph (2) that any fee is to be paid in instalments by direct debit; and
- (b) following the payment of the first instalment and the making, renewal or restoration of a register entry, a subsequent payment is not made by the date on which it is due,

the Registrar shall send a notice to the registrant stating that, if payment is not received within 14 days (beginning with the day on which the Registrar sent the notice) the registrant's name may be

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Changes to legislation: There are currently no known outstanding effects for the The Health Professions Council (Registration and Fees) Rules Order of Council 2003. (See end of Document for details)

removed from the register, and if no such payment is made, the Registrar may remove the registrant's name from the register.

(4) A person who satisfies the Council that he has retired from the practice of his profession, leaving unused his registration for a complete year of a registration period, shall, on written application to the Council, be given a refund of half the fee paid by him in respect of that registration period.

[^{F43}SCHEDULE 1

Rule 4(1)(a)

Application for admission to a part of the register

Textual Amendments

F43 Sch. 1 substituted (8.7.2005) by [The Health Professions Council \(Practice Committees and Registration\) \(Amendment\) Rules Order of Council 2005 \(S.I. 2005/1625\)](#), Sch. rule 1, **Sch. 1**

The following information shall be provided by an applicant to the Council:

- (a) his full name;
- (b) his former name (if any);
- (c) his date of birth;
- (d) his nationality;
- (e) his home address;
- (f) his work address;
- (g) his telephone number;
- (h) his e-mail address;
- (i) the Part of the Register to which his application relates;
- (j) details of his education, training, experience and qualifications in reliance upon which the application is made;
- (k) whether he has previously been registered by the Council or another health or social care regulatory body, and if he has, details of such registration;
- (l) confirmation that he has not been convicted of, or cautioned for, any criminal offence or, if he has, details of the conviction or caution;
- (m) confirmation that he has not been disciplined by another health or social care regulatory body or, if he has, details of the disciplinary action; and
- (n) a declaration by the applicant as to his good health and good character.]

[^{F44}SCHEDULE 2

Rule 11(1)(a)

Application for renewal of registration

Textual Amendments

F44 Sch. 2 substituted (8.7.2005) by [The Health Professions Council \(Practice Committees and Registration\) \(Amendment\) Rules Order of Council 2005 \(S.I. 2005/1625\)](#), Sch. rule 1, **Sch. 2**

1. The following information shall be provided by a registrant to the Council:
 - (a) his full name;
 - (b) his home address;
 - (c) his registration number;
 - (d) the Part of the Register to which his application relates;
 - (e) confirmation that he has continued to practise his profession since his last registration;
 - (f) confirmation that he continues to meet the Standards of Proficiency for his profession;
 - (g) confirmation that he has met any continuing professional development requirements under article 19(1) of the Order that apply to him; and
 - (h) a declaration by the registrant as to his good health and good character.
2. A registrant who is unable to comply with any of the provisions of paragraph 1 requiring him to provide a confirmation or declaration must send a letter to the Council, addressed to the Registrar, setting out the reasons why he is unable to comply.]

[^{F45}SCHEDULE 3

Rule 4(2)(a)

Character reference

Textual Amendments

F45 Sch. 3 substituted (8.7.2005) by [The Health Professions Council \(Practice Committees and Registration\) \(Amendment\) Rules Order of Council 2005 \(S.I. 2005/1625\)](#), Sch. rule 1, **Sch. 3**

The following information shall be provided by the referee to the Council:

- (a) the full name of the applicant;
- (b) the Part of the Register to which the application relates;
- (c) the full name of the referee;
- (c) his home or business address;
- (d) his profession;
- (e) the length of time that he has known the applicant;
- (f) a declaration that he knows of no reason why the applicant should not practise the profession to which the application relates with honesty and integrity.]

Status: Point in time view as at 01/07/2009.

Changes to legislation: There are currently no known outstanding effects for the The Health Professions Council (Registration and Fees) Rules Order of Council 2003. (See end of Document for details)

[^{F46}SCHEDULE 4

Rule 4(2)(b)

Health reference

Textual Amendments

F46 Sch. 4 substituted (8.7.2005) by [The Health Professions Council \(Practice Committees and Registration\) \(Amendment\) Rules Order of Council 2005 \(S.I. 2005/1625\)](#), Sch. rule 1, **Sch. 4**

The following information shall be provided by the referee to the Council:

- (a) the full name of the applicant;
- (b) the Part of the Register to which the application relates;
- (c) the full name of the referee;
- (d) his home or business address;
- (e) confirmation that he is a registered medical practitioner;
- (f) whether the reference is made on the basis of his personal knowledge of the applicant’s health, examination of the applicant’s medical records or medical examination of the applicant;
- (g) a declaration that he is satisfied that the applicant’s health does not affect his ability to practise the profession to which the application relates.]

[^{F47}SCHEDULE 5

Rule 10(3) to (5)

REGISTRATION PERIOD

Textual Amendments

F47 Sch. 5 substituted (18.10.2004) by [The Health Professions Council \(Registration and Fees\) \(Amendment\) Rules Order of Council 2004 \(S.I. 2004/2524\)](#), rules 1, 3(6), **Sch. 2**

<i>Column 1</i>	<i>Column 2</i>
Part of Register	End of Registration period
Arts Therapists: Music, Drama or Art	31st May in an even numbered year
Biomedical Scientists	30th November in an odd numbered year
Chiropodists and Podiatrists	31st July in an even numbered year
Clinical Scientists	30th September in an odd numbered year
Dietitians	30th June in an even numbered year
Occupational Therapists	31st October in an odd numbered year
Operating Department Practitioners	30th November in an even numbered year
Orthoptists	31st August in an odd numbered year
Paramedics	31st August in an odd numbered year
Physiotherapists	30th April in an even numbered year

<i>Column 1</i>	<i>Column 2</i>
[^{F48} Practitioner psychologists]	[^{F49} 31st May in an odd numbered year]
Prosthetists and Orthotists	30th September in an odd numbered year
Radiographers: Diagnostic or Therapeutic	28th February in an even numbered year
Speech and Language Therapists	30th September in an odd numbered year]

Textual Amendments

- F48** Words in Sch. 5 inserted (1.7.2009) by [The Health Professions Council \(Practice Committees and Miscellaneous Amendments\) Rules Order of Council 2009 \(S.I. 2009/1355\)](#), Sch. rules 1(a), **9(d)(i)**
- F49** Words in Sch. 5 inserted (1.7.2009) by [The Health Professions Council \(Practice Committees and Miscellaneous Amendments\) Rules Order of Council 2009 \(S.I. 2009/1355\)](#), Sch. rules 1(a), **9(d)(ii)**

Sealed with the common seal of the Health Professions Council on 6th June 2003.

L.S.

Norma Brook
Marc Seale
PresidentRegistrar

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which is made under the Health Professions Order 2001, approves Rules made by the Health Professions Council in respect of the form of the register it maintains of members of the professions to which the Health Professions Order applies, and the requirements to be satisfied, and the fees to be paid, in connection with applications for inclusion in the register.

Status:

Point in time view as at 01/07/2009.

Changes to legislation:

There are currently no known outstanding effects for the The Health Professions Council (Registration and Fees) Rules Order of Council 2003.