

EXPLANATORY MEMORANDUM TO
THE POSTGRADUATE MEDICAL EDUCATION AND TRAINING BOARD
(MEMBERS – REMOVAL FROM OFFICE) RULES ORDER 2004

2004 No.3410

1. This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This Order approves Rules made by the Postgraduate Medical Education and Training Board (“the Board”) that provide for the circumstances in which, and the procedure by which, members of that Board can be removed from office.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 The Order is made under powers conferred by paragraph 2(3) of Schedule 2 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (S.I. 2003/1250) (“the 2003 Order”).

5. Extent

5.1 This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

6.1 Statement not required.

7. Policy background

7.1 The 2003 Order established the Board as a body corporate. The Order provides for the Board to consist of 25 members, with lay members and medical members, the latter being in the majority. The members were appointed by the Secretary of State for Health, the Scottish Ministers, the National Assembly for Wales and the Department of Health, Social Services and Public Safety in Northern Ireland.

7.2 In paragraph 2(3) of Schedule 2, the 2003 Order provides for the Board itself to make Rules as to the circumstances in which a person is to be removed from office as a Board member. However, such Rules cannot come into force until they have been approved by the Secretary of State by order.

4.2 The 2003 Order requires that the Secretary of State consults the Scottish Ministers, the Department of Health, Social Services and Public Safety in Northern

Ireland and the National Assembly for Wales before approving the Rules, and this consultation has taken place.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

Paul Loveland at the Department of Health Tel: 0113 254 5856 or e-mail: paul.loveland@dh.gsi.gov.uk can answer any queries regarding the instrument.