

**EXPLANATORY MEMORANDUM TO THE
POSTGRADUATE MEDICAL EDUCATION AND TRAINING BOARD
(FEES) RULES ORDER 2005**

2005 No. 1872

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 fees that are payable to the Board in respect of the exercise by the Board of certain functions.
 - 2.2 The functions in respect of which fees are payable include issuing Certificates of Completion of Training (the UK qualification) for general practitioners and specialists, determining applications to the Board as to whether persons not holding Certificates of Completion of Training have met particular standards of equivalence and appealing against decisions of the Board.
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 article 24 and 25(1) of 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 Board will, from 30th September 2005, be responsible for regulating postgraduate medical education and training for specialist medical practice and general medical practice in the UK: 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 impacts heavily on the functions of the Board and is partially implemented in the 2003 Order.

7.2 Article 24 of the 2003 Order provides for the Board itself to make Rules as to the amount of fees it will charge in respect of particular functions. 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.