
STATUTORY INSTRUMENTS

2007 No. 3101

**The European Qualifications (Health and
Social Care Professions) Regulations 2007**

PART 3

**MEDICAL PRACTITIONERS: THE GENERAL AND SPECIALIST MEDICAL
PRACTICE (EDUCATION, TRAINING AND QUALIFICATIONS) ORDER 2003**

Substitution of article 16

50. For article 16 substitute—

“Decisions on inclusion in the Registers

16.—(1) Where a person makes an application for inclusion in either of the Registers pursuant to article 10(3) or 13(3), the Registrar of the GMC, within the period of one month beginning with the date of receipt of the application, must—

- (a) acknowledge receipt of the application; and
- (b) inform the applicant of any missing document required for the purposes of the application.

(2) The Registrar of the GMC must, in accordance with paragraph (3), give the applicant notice—

- (a) of the result of the application;
- (b) if he refuses the application, of the reasons for that refusal and of any right of appeal the applicant has under article 23.

(3) The Registrar of the GMC must give the applicant notice of the matters specified in paragraph (2)—

- (a) within the period of three months beginning with the date when the Registrar of the GMC receives the application, or, if any document required for the purposes of the application is missing when the Registrar receives the application, the date on which the Registrar first has all the documents required for those purposes; or
- (b) in a case where the applicant has previously had to make an application to which paragraph (4) applies, within the specified time.

(4) This paragraph applies to an application by a person to the Board in order to satisfy the Board that he is—

- (a) an eligible general practitioner pursuant to article 11(3);
- (b) an eligible specialist pursuant to article 14(4) or (5);
- (c) an eligible general systems general practitioner pursuant to article 11A; or
- (d) an eligible general systems specialist pursuant to article 14A.

- (5) Where a person makes an application to the Board to which paragraph (4) applies—
- (a) the Board, within the period of one month beginning with the date of receipt of the application, must—
 - (i) acknowledge receipt of the application, and
 - (ii) inform the applicant of any missing document required for the purposes of the application; and
 - (b) the Board must co-operate with the GMC, and the GMC must co-operate with the Board, to ensure that the applicant is able to apply to the GMC for inclusion in either of the Registers pursuant to article 10(3) or 13(3) and obtain a decision from the GMC within the specified time.
- (6) In paragraphs (3) and (5), “the specified time” means, subject to paragraph (7)—
- (a) in relation to an application to which paragraph (4)(a) or (b) applies, the period of three months—
 - (i) beginning with the relevant date, and
 - (ii) ending with the date on which the Registrar of the GMC gives the applicant notice of the matters specified in paragraph (2); and
 - (b) in relation to an application to which paragraph (4)(c) or (d) applies, the period of four months—
 - (i) beginning with the relevant date, and
 - (ii) ending with the date on which the Registrar of the GMC gives the applicant notice of the matters specified in paragraph (2).
- (7) In calculating the specified time pursuant to paragraph (6), the period—
- (a) beginning with the date on which the Board gives the applicant notice under article 11(6), 11A(2), 14(10) or 14A(2) (as the case may be), and
 - (b) ending, after the completion of any adaptation period or the determination of any appeal against a decision of the Board, with the date on which the GMC receives all the documents enabling it to determine whether it is satisfied of the applicant's entitlement to be registered pursuant to article 10(3) or 13(3) (as the case may be), shall be disregarded.
- (8) For the purposes of complying with its duty pursuant to paragraph (5), the Board may, if it sees fit, provide to the GMC information relating to, or copies of, any applications that it has received to which paragraph (4) applies.
- (9) The “relevant date”, in relation to an application, is—
- (a) the date when the Board receives the application; or
 - (b) if any document required for the purposes of the application is missing when the Board receives the application, the date on which the Board first has all the documents required for those purposes.”.

Changes to legislation:

There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) Regulations 2007, Section 50.