

**EXPLANATORY MEMORANDUM TO**  
**THE POSTGRADUATE MEDICAL EDUCATION AND TRAINING BOARD (FEES)**  
**RULES ORDER 2006**

**2006 No. 515**

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”) on 27 February 2006. The rules prescribe fees that are payable to the Board in respect of the exercise by the Board of certain of its functions. The functions in respect of which fees are payable include:

- (a) issuing Certificates of Completion Training for general practitioners and specialists;
- (b) applications to the Board to determine whether certain persons not holding Certificates of Completion of Training have met particular standards of equivalence; and
- (c) appeals against the Board.

2.2 The Order revokes the Postgraduate Medical Education and Training Board (Fees) Rules 2005.

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

None

**4. Legislative Background**

- 4.1 The Order is made under article 25 of the General and Specialist Medical Practice (Education Training and Qualifications) Order 2003.
- 4.2 In accordance with article 25(2) of the Order, the Secretary of State has consulted the Scottish Ministers, the Department of Health, Social services and Public Safety in Northern Ireland and the National Assembly for Wales.

**5. Extent**

This instrument applies to England, Scotland, Northern Ireland and Wales.

## **6. European Convention on Human Rights**

As the instrument is subject to negative resolution, no statement is required.

## **7. Policy background**

7.1 The Postgraduate Medical Education and Training Board (“the Board”) was established in 2005 with the purpose of;

- Establishing and raising standards and quality in postgraduate medical education and training
- Providing arrangements to ensure this quality is maintained
- Improving supervision of training
- Providing managed structures and processes to ensure all interests are represented in postgraduate medical education
- Regulating specialist and general training

7.2 Under article 24 of the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (“the 2003 Order”), the Board has the power to make rules in respect of fees “to cover the cost of providing services in the course” of carrying out functions under the 2003 Order and such fees must “be reasonable”.

7.3 It is the policy of the government and of the Board that as a UK statutory authority the Board should become financially independent. For the time being, the Board’s only sources of income are from grants by the four UK Health Departments and from the charges it makes for fees for certification, assessments of equivalence and appeals. The Board proposed to increase its headline certification fees from £250 to £750 from 1 April 2006 (with pursuant increase in other fees) to meet the gap between its current and predicted income and the agreed level of government grant. The proposal was the subject of a consultation process during which some 60 interested organisations and individuals responded. While an increase was supported in principle, the level of increase proposed by the Board was not. The response suggested that as a new body the Board’s financial position was not mature enough to justify the increase either as a single rise or as a staged increase. In considering the outcome of the consultation, the Board and the UK Health Departments accepted the view that the Board’s income was not predictable enough to justify a full increase as reasonable but also accepted that a significant rise was necessary and reasonable.

7.4 On the basis on current information, it is accepted that the 2006/7 proposed fee increase to £500 is reasonable. The position will be subject to review before the end of 2006/7 and in the meantime, the UK Health Departments will increase their grant to the Board to make up any shortfall in income not covered by fee income.

## **8. Impact**

8.1 The consequence of the limited rise is that funding from the UK Health Departments will have to continue at a higher level than otherwise intended. The

current agreed level for 2006/7 is £2,889,000, and this is currently predicted to increase to £4,314,000 to cover the shortfall created by a fee level restricted to £500.

## **9. Contact**

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