1970 No. 467

MEDICAL PROFESSION

The General Medical Council (Registration (Fees) Regulations) Order of Council 1970

Made - - - *23rd March* 1970

At the Council Chamber, Whitehall, the 23rd day of March 1970

By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in pursuance of section 5 of the Medical Act 1969(**a**) the General Medical Council have made regulations entitled "The Medical Practitioners Registration (Fees) Regulations 1969" :

And whereas by subsection (5) of the said section such regulations shall not have effect until approved by Order of the Privy Council :

Now, therefore, Their Lordships, having taken the said regulations into consideration, are hereby pleased to approve the same as set out in the Schedule to this Order.

This Order may be cited as the General Medical Council (Registration (Fees) Regulations) Order of Council 1970.

N. E. Leigh.

SCHEDULE

THE MEDICAL PRACTITIONERS REGISTRATION (FEES) REGULATIONS 1969

The General Medical Council in exercise of their powers under section 5 of the Medical Act 1969 hereby make the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Medical Practitioners Registration (Fees) Regulations 1969, and shall come into operation on 1st May 1970.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires:—

"the Act of 1956" means the Medical Act 1956(**b**) ;

"the Act of 1969" means the Medical Act 1969 ;

"annual retention fee" means a fee payable by a registered person under Regulation 6(1) or (2) ;

"due date" has the meaning assigned to it in Regulation 6(4) ;

"the Overseas List" means the list of that name established in accordance with section 3(2) of the Medical Act 1969 ;

"the Principal List" means the list of that name established in accordance with section 3(2) of the Medical Act 1969 ;

"the register" means the register of medical practitioners ;

(**a**) 1969 c. 40.

(**b**) 1956 c. 76.

"the Registrar" means the Registrar of the General Medical Council;
"the Registration Committee" means the Committee of that name of the General Medical Council constituted by virtue of the Medical Act 1956, section 1(3) and Schedule 1, paragraph 6(1).

(2) Any reference in these Regulations to a numbered Regulation shall be construed as a reference to the Regulation bearing that number in these Regulations and any reference to a numbered paragraph shall be construed as a reference to the paragraph bearing that number in the Regulation in which it occurs.

3. The Interpretation Act 1889(a) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Fees for registration

4. The Registrar shall not make any entry in the register until the appropriate fee, if any, prescribed by Regulation 5 has been paid.

5. The appropriate fees for the making of entries in the register shall be:—

(*a*) on provisional registration under section 17 or section 23 of the Act of 1956	£6
(*b*) on full registration under section 7 of the Act of 1956	
(i) in the case of a person who is or has at any time been provisionally registered under section 17 of the Act of 1956 or by virtue of any provision of the law of the Republic of Ireland made for the purposes similar to the said section 17	£9
(ii) in the case of any other person	£15
(*c*) on full registration under section 18 of the Act of 1956	
(i) in the case of a person who is or has at any time been provisionally registered under section 23 of the Act of 1956	£14
(ii) in the case of any other person	£20

Annual Retention Fees

6.—(1) From the date of coming into operation of these Regulations any fully registered person who is not exempted under the provisions of Regulations 7, 8, 9 or 10 shall be liable to pay a fee in respect of the retention of his name in the register in any year subsequent to the year beginning with the date on which he first obtained full registration.

(2) From the date of coming into operation of these Regulations any provisionally registered person who is not exempted under the provisions of Regulations 7, 8, or 9 shall be liable to pay a fee in respect of the retention of his name in the register in any year subsequent to a period of two years beginning with the date on which he first obtained provisional registration.

(3) An annual retention fee shall become payable—

(*a*) by a fully registered person on the anniversary of the day on which he was first fully registered; and

(*b*) by a provisionally registered person on the anniversary of the day on which he was first provisionally registered:

Provided that this Regulation shall apply to a person first registered on 29th February as if he had been first registered on 1st March.

(4) In these Regulations "due date" in relation to the payment of an annual retention fee by a registered person shall be the date on which that fee becomes payable by that person under paragraph (3).

(a) 1889 c. 63

(5) Any person whose name is transferred from the Overseas List to the Principal List on his own application shall be liable on transfer to pay an annual retention fee in respect of the current year.

(6) The annual retention fee shall be £2.

7. Any fully or provisionally registered person who is included in the Overseas List shall be exempt from payment of annual retention fees.

8. Any fully or provisionally registered person who satisfies the Registrar that he has reached the age of 65 years shall be exempt from payment of annual retention fees.

9. Any fully or provisionally registered person who not having reached the age of 65 years satisfies the Registration Committee that he is prevented by lasting physical incapacity from rendering services as a medical practitioner for gain shall be exempt from the payment of annual retention fees:

Provided that any person who is exempted under the provisions of this Regulation and who is shown to the satisfaction of the Registration Committee to have rendered services as a medical practitioner for gain subsequently to the granting of the exemption shall cease to be so exempt.

10.—(1) Any person who obtained full registration under section 7 of the Act of 1956 for the first time during the year 1967 shall be exempt from payment of annual retention fees until after 30th April 1971.

(2) Any person who obtained full registration under section 7 of the Act of 1956 for the first time during the year 1968 shall be exempt from payment of annual retention fees until after 30th April 1972.

(3) Any person who obtained full registration under section 7 of the Act of 1956 for the first time during the period 1st January 1969 to 30th April 1970 inclusive shall be exempt from payment of annual retention fees until after 30th April 1973.

(4) Any person who, on 30th April 1970 is provisionally registered in the register and who subsequently obtains full registration before 30th April 1972, shall be exempt from payment of an annual retention fee in respect of the full registration for a period of one year from the date on which but for this paragraph such fee would be due.

11.—(1) The Registrar shall cause a notice to be sent not less than 7 days before the due date to each fully and provisionally registered person who is under the provisions of Regulations 6 to 10 liable to pay an annual retention fee.

(2) Where a person is liable under the provisions of Regulations 6 to 10 to pay an annual retention fee, and such fee has not, after a period of 28 days from the due date, been received by the Council, the Registrar shall cause a further notice to be sent to that person. The notice shall contain a warning that unless the annual retention fee is received by the Council within a period of 28 days of the date of issue of the notice, the name of the person may be erased from the register.

(3) Notices sent to a person under paragraphs (1) and (2) shall be sent by post to his registered address.

Erasure after failure to pay annual retention fees

12. Where a fully or provisionally registered person is liable under the provisions of these Regulations to pay an annual retention fee and—

(*a*) notices have been sent to him in accordance with the provisions of Regulation 11, and

(*b*) a period of 28 days has elapsed from the date of issue of the further notice referred to in Regulation 11(2), and

(*c*) the requisite fee has not been received by the Council,

the Registrar may erase his name from the register.

Voluntary erasure of the name of a person who does not wish to pay annual retention fees

13.—(1) A fully or provisionally registered person may make application for the erasure of his name from the register on the ground that he does not wish to pay or to continue to pay annual retention fees.

(2) Such an application shall be in the form prescribed in the Schedule to these Regulations.

(3) On receipt of such an application the Registrar may erase the name of the applicant from the register.

Fees for restoration to the Principal List and the Overseas List

14. The Registrar may refuse to restore to the Principal List or to the Overseas List the name of any person whose name has been erased therefrom by virtue of section 3(5) of the Act of 1969 or section 41(7) of the Act of 1956, or the corresponding enactment repealed by that Act; or by virtue of Regulation 12; or by virtue of Regulation 13; or by virtue of Regulation 8(2) of the Medical Practitioners Registration (No. 2) Regulations 1969(a); until that person pays—

(*a*) the appropriate restoration fee (if any) prescribed in Regulation 15, and

(*b*) the retention fee (if any) which if his name had not been so erased would be due from him in respect of the current year.

15.—(1) Except in cases to which paragraphs (2) or (3) apply, the restoration fee referred to in paragraph (*a*) of Regulation 14 shall be £3.

(2) Where it is shown, to the satisfaction of the Registrar, that a person who applies for the restoration of his name to the Principal List or to the Overseas List after erasure by virtue of any of the provisions mentioned in Regulation 14 has, in any year or years in which his name was not included in the Principal List, rendered any service as a medical practitioner for gain in the United Kingdom as though he were a registered medical practitioner, the restoration fee shall be the sum of

(i) £3 and

(ii) the amount of any annual retention fees which would have been due from that person if his name had been so included in the year or years in question:

Provided that any person who is aggrieved by a decision of the Registrar under this paragraph may appeal to the Registration Committee who shall determine the matter.

(3) In the case of a person whose name has been erased at his own request under Regulation 13 and to whom paragraph (2) does not apply, no restoration fee shall be payable under this Regulation.

SCHEDULE

Regulation 13

APPLICATION FOR REMOVAL OF NAME FROM THE REGISTER UNDER REGULATION 13 OF THE MEDICAL PRACTITIONERS REGISTRATION (FEES) REGULATIONS

I am the person now registered as a medical practitioner under the Medical Acts of the United Kingdom as follows:—

.....
(FULL NAME)

.....
(REGISTERED ADDRESS)

(a) S.I. 1970/47 (1970 I, p.315).

.....

(REGISTERED QUALIFICATIONS)

I am not aware of any proceedings, or of any reason for the institution of any proceedings, which might render me liable to have my name erased from the Register by the Disciplinary Committee.

I request that my name be removed from the register of medical practitioners, on the ground that I do not wish to pay, or to continue to pay, annual retention fees.

Signature of practitioner: .....

Present address: .....

Date: .....

Given under the official seal of the General Medical Council, this twenty-fifth day of November, nineteen hundred and sixty-nine.

(L.S.) COHEN OF BIRKENHEAD,
President.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The regulations approved by this Order prescribe, with effect from 1st May 1970, the fees to be paid to the General Medical Council in respect of entries in the register of medical practitioners. Provision is included for an annual retention fee of £2.

The regulations also provide for the following matters (inter alia) :—

(1) Erasure from the register for non-payment of the retention fee.

(2) Voluntary erasure from the register at the request of a person not wishing to pay the retention fee.

(3) Fees for restoration of names to the register.

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