

The General Medical Council (Award of Certificates) Rules 2010

The General Medical Council make the following Rules in exercise of powers conferred by sections 34G(3) and 34L(5) of the Medical Act 1983(a):

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Citation and commencement

1. These Rules may be cited as the General Medical Council (Award of Certificates) Rules 2010 and shall come into force on 1st April 2010.

Interpretation

2.—(1) In these Rules—

“the Act” means the Medical Act 1983(a);

“the 2010 Order” means the Postgraduate Medical Education and Training Order of Council 2010(b);

“applicant” means a person making a request or an application;

“application” means an application to the Registrar for the award of a CCT;

“certificate” means a CCT or a certificate of acquired rights;

“certificate of acquired rights” means a certificate issued in accordance with section 34G(2) of the Act;

“Fees provisions” means rules made under article 24(5) of the General Specialist Medical Practice (Education, Training and Qualifications) Order 2003(c) or regulations made under section 34O(1) of the Act(d);

“provider” means any hospital, general practitioner, or other body or person in the United Kingdom or elsewhere by whom or under whose direction or management any postgraduate medical education or training, or sub-specialty training, is or has been given;

“request” means a request to the Registrar for the issue of a certificate of acquired rights.

(2) In these rules, “relevant authority” means—

- (a) in relation to medical education and training conducted in the United Kingdom, a Medical Royal College, Faculty, Postgraduate Deanery, or other body, or any committee, council or grouping of such bodies, which administer or implement a curriculum approved by the

(a) 1983 c.54. Sections 34G and 34L are inserted by S.I.2010/ .

(b) S.I.2010/ .

(c) S.I.2003/1250. That instrument is revoked by S.I.2010/ but rules under article 24(5) remain in force by virtue of paragraph 8 of Schedule 2 to S.I.2010/ .

(d) Section 34O is inserted by S.I.2010/ .

competent authority or authorities of the United Kingdom under Article 56 of the Directive;

- (b) in relation to medical education and training conducted in a relevant European State other than the United Kingdom, means the competent authority or authorities of that State under Article 56 of the Directive; and
- (c) in relation to medical education and training conducted in any other country, means any body, institution or authority in that country responsible for the supervision, accreditation, certification or approval of courses, programmes, training posts, examinations, assessments or other tests of competence in postgraduate medical education and training.

(3) The reference to a competent authority in paragraph (2)(a) is a reference to an authority which was a competent authority at the time the approval was given.

(4) The reference to a competent authority in paragraph (2)(b) includes references to authorities which are no longer competent authorities of that European State but which were a competent authority of that State at the time the medical education and training was conducted.

Form and content of requests and applications

3.—(1) Requests and applications must be made in writing to the Registrar in accordance with the following paragraphs of this rule.

(2) A request or an application under paragraph (1) must include the following—

- (a) the applicant's name, date of birth and, where applicable, their General Council reference number;
- (b) the applicant's registered address, where applicable, or any postal or electronic mail address to which the Registrar is able to send to the practitioner written communication relating to the request or application;
- (c) any evidence required to be submitted in accordance with rule 5; and
- (d) any fee payable under the Fees provisions.

Acknowledgement of requests and applications

4. The Registrar must, as soon as reasonably practicable, and in any event within one month of receipt of an application—

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

Evidence

5.—(1) In support of a request or an application, the applicant must submit—

- (a) evidence as to their identity;
- (b) in respect of an application, evidence that the applicant has met the criteria for the award of a CCT under section 34L of the Act, including—
 - (i) evidence that the applicant is a registered medical practitioner,
 - (ii) evidence of qualifications awarded to the applicant, provided or authenticated by the provider or relevant authority awarding such qualifications, including—
 - (aa) certificates in respect of specialist qualifications whether obtained in the United Kingdom, another relevant European State or elsewhere;
 - (bb) evidence that the qualifications were awarded after examination or on the basis of evaluation of course work, or after a programme of specialist medical training or training in general practice; and

- (iii) evidence of training completed by the applicant, provided or authenticated by the provider or relevant authority providing or supervising such training, including—
 - (aa) evidence of the courses followed and the methods, frequency and outcomes of assessment and evaluation,
 - (bb) evidence that the training was supervised, accredited, approved or certified by a relevant authority,
 - (cc) certificates confirming the completion of training, including any certificate issued by a competent authority pursuant to the requirements of the Directive, and
 - (dd) log books, portfolios or other training materials, and
- (c) in respect of a request, evidence that the applicant falls within one of the categories of persons specified in article 6 of the 2010 Order, including—
 - (i) where relevant, a certificate of inclusion on a medical list specified within paragraph (2)(a) of that article which contains the applicant’s full name and General Council reference number; and
 - (ii) evidence of relevant practice in the United Kingdom, including, where the applicant is or was employed in the armed forces, a statement from the Director General of Medical Services.

Collection of information, evidence and advice

- 6.—(1) The Registrar may, at any time during the consideration of a request or application—
- (a) ask the applicant to produce such further information, documents or reports;
 - (b) obtain from any person, provider, relevant authority, or other body, such information, documents or reports, including advice from one or more medical or lay advisers as to whether the applicant has met the standards and requirements for the issue or award of a certificate;
 - (c) make such further investigations, and obtain such information, documents or reports,
 - (d) refer any question or matter arising to a Registration Panel for such advice as in the Registrar’s opinion is appropriate to the determination of the application.
- (2) In paragraph (1)(b)—
- “lay” means a person who is not and never has been provisionally registered or fully registered, was at no time registered with limited registration and does not hold qualifications which would entitle them to apply for provisional or full registration under the Act; and
- “medical” means a registered medical practitioner.

Determinations as to issue and award of certificates

- 7.—(1) The Registrar may grant or refuse a request or an application and, in considering their decision, must take into account—
- (a) where appropriate, any standards and requirements established by the General Council under section 34H(1)(a) of the Act(a), including any minimum requirements for general practice or specialist training under, respectively, sections 34J and 34K of the Act(b); and
 - (b) any failure by the applicant to provide any evidence, information, document or report required under rule 5 or 6.
- (2) As soon as reasonably practicable after having determined the request or application, the Registrar must—

(a) Section 34H is inserted by S.I.2010/ .
 (b) Sections 34J and 34K are inserted by S.I.2010/ .

- (a) notify the applicant of the determination in accordance with paragraphs 3 and 6 of Schedule 3A to the Act(a);
- (b) where a request has been granted, as soon as reasonably practicable, issue a certificate of acquired rights;
- (c) where an application has been granted, as soon as reasonably practicable, award a CCT.

Correction of errors

8. Where it comes to the attention of the Registrar that there is an error in any of the information contained in a certificate but the certificate has been properly issued or awarded under these Rules, the Registrar must—

- (a) issue or, as the case may be, award, a corrected certificate to the applicant; and
- (b) notify such other persons or bodies as the Registrar considers appropriate, that the certificate has been corrected, including details of the correction.

Given under the official seal of the General Medical Council this 11th day of February 2010.



Peter Rubin
Chair

Niall Dickson
Chief Executive and Registrar

(a) Schedule 3A is inserted by S.I.2002/3135. Paragraph 3 is amended by S.I.2007/3101 and 2010/ .