
STATUTORY INSTRUMENTS

1995 No. 3208

MEDICAL PROFESSION

The European Specialist Medical Qualifications Order 1995

<i>Made</i>	- - - -	<i>13th December 1995</i>
		<i>22nd December</i>
<i>Laid before Parliament</i>		<i>1995</i>
<i>Coming into force—</i>		
<i>The whole Order except</i>		
<i>article 11 and Schedule 5</i>		<i>12th January 1996</i>
<i>Article 11 and Schedule 5</i>		<i>1st January 1997</i>

At the Court at Buckingham Palace, the 13th day of December 1995

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 2(2) of the European Communities Act 1972⁽¹⁾ and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council to order, and it is hereby ordered, as follows:—

PART I

GENERAL

Citation and commencement

1.—(1) This Order may be cited as the European Specialist Medical Qualifications Order 1995.

(2) This Order shall come into force on 12th January 1996, except for article 11 and Schedule 5, which shall come into force on 1st January 1997.

(1) 1972 c. 68. By virtue of the amendment of section 1(2) of the European Communities Act 1972 by section 1 of the European Economic Area Act 1993 (c. 51), orders may be made under section 2(2) of the European Communities Act to implement obligations of the United Kingdom created or arising by or under the EEA Agreement (as defined in article 2(2) of this Order).

Interpretation

2.—(1) In this Order, “the Directive” means Council Directive [93/16/EEC](#) of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications⁽²⁾—

- (a) as adapted by paragraph 4(b), (c) and (d) of Annex VII to the EEA Agreement (where the specialist medical qualifications awarded in certain EEA States⁽³⁾ and the names given to specialties in those States are set out); and
- (b) as amended by the Act concerning the conditions of accession and the adjustments to the Treaties on which the Union is founded⁽⁴⁾, and by the Decision of the Council of the European Union of 1st January 1995 adjusting the instruments concerning the accession of new Member States to the European Union⁽⁵⁾.

(2) In this Order—

“CCST” means Certificate of Completion of Specialist Training⁽⁶⁾;

“EEA” means European Economic Area;

“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992⁽⁷⁾ as adjusted by the Protocol signed at Brussels on 17th March 1993⁽⁸⁾;

“EEA State” means a State which is a contracting party to the EEA Agreement;

“GMC” means General Medical Council⁽⁹⁾;

“registered dentist” has the same meaning as in the Dentists Act 1984⁽¹⁰⁾;

“registered medical practitioner” means a medical practitioner registered under the Medical Act 1983⁽¹¹⁾ with full or with limited (but not with provisional) registration; and

“STA” means Specialist Training Authority of the medical Royal Colleges⁽¹²⁾.

(3) In this Order—

- (a) any reference to a consultant in the National Health Service is to a consultant other than a locum consultant (but including an honorary consultant) employed for the purposes of providing any service as part of the health service continued under section 1(1) of the National Health Service Act 1977⁽¹³⁾, section 1(1) of the National Health Service (Scotland) Act 1978⁽¹⁴⁾ or article 4 of the Health and Personal Social Services (Northern Ireland) Order 1972⁽¹⁵⁾;
- (b) any reference to a fee shall be construed in accordance with article 5; and
- (c) any reference to a “medical” specialty includes a surgical specialty, and includes in particular the specialties listed in Schedule 2.

(2) OJ No. L 165, 7.7.1993, p.1. This Directive is a consolidation of the earlier Directives as indicated in Annex IV to the Directive, and was applied to EEA States other than members of the EC by Decision No.7/94 of the EEA Joint Committee of 21 March 1994 (OJ No. L 160, 28.6.94, p.1).

(3) These States are Austria, Finland, Iceland, Liechtenstein, Norway and Sweden.

(4) OJ No. C 241, 29.8.1994, p.21.

(5) OJ No. L 1, 1.1.1995, p.1: this concerns Austria, Finland and Sweden.

(6) See article 5(2) of the Directive under the heading “United Kingdom”.

(7) Cm. 2073 and OJ No. L 1, 3.1.1994, p.3.

(8) Cm. 2183 and OJ No. L 1, 3.1.1994, p.572.

(9) See the Medical Act 1983 (c. 54), section 1.

(10) 1984 c. 24; see section 53(1) of that Act.

(11) 1983 c. 54.

(12) See article 3(3).

(13) 1977 c. 49.

(14) 1978 c. 29.

(15) S.I.1972/1265 (N.I.).

PART II

THE COMPETENT AUTHORITIES

The Competent Authorities

3.—(1) In relation to specialist medical qualifications, there shall be two competent authorities in the United Kingdom for the purposes of Title II (mutual recognition of diplomas, certificates and other evidence of formal qualifications in medicine) and Title III (coordination of provisions laid down by law, regulation or administrative action in respect of activities of doctors) of the Directive.

(2) The competent authority for the purposes of the recognition and registration of specialist medical qualifications is the GMC.

(3) Subject to paragraph (6), the competent authority for the purposes of specialist medical training and the issue of CCSTs and certain other certificates is the body specified in Part II of Schedule 1 (being a body constituted as set out in Part I of that Schedule), which shall be known as the Specialist Training Authority of the medical Royal Colleges.

(4) Accordingly, in relation to specialist medical qualifications, in addition to the functions conferred upon them elsewhere in this Order—

- (a) the GMC shall as respects the United Kingdom perform the functions of the host member State referred to in article 22 of the Directive (which concerns requiring confirmation of authenticity of foreign diplomas and confirmation that a person has fulfilled the Directive's training requirements);
- (b) the STA shall as respects the United Kingdom have the functions of a competent authority referred to in the following articles of the Directive—
 - (i) article 8(2) (issue of certificates relating to training in the United Kingdom in certain specialties),
 - (ii) article 8(3) (requirement to verify content and duration of foreign specialist training and to communicate what additional training is required in the United Kingdom),
 - (iii) article 9(2) (issue of certificates there mentioned to specialists whose qualifications were awarded in the United Kingdom or who have practised their specialty in the United Kingdom),
 - (iv) article 9(5) (issue of certificates of fulfilment of Directive training requirements in respect of qualifications which do not conform with the designations set out in the Directive), and
 - (v) article 22 (function of confirming authenticity of CCSTs and of confirming that a person has fulfilled the Directive's training requirements); and
- (c) the STA shall as respects the United Kingdom perform the functions of a member State referred to in the following articles of the Directive—
 - (i) article 8(1) (requirement to fulfil domestic requirements for specialist training in certain specialties), and
 - (ii) article 8(2) (requirement to take into account training already undertaken abroad).

(5) The GMC and the STA are hereby designated as respects the United Kingdom for the purposes set out in this article in accordance with article 42 of the Directive (which requires member States to designate the authorities competent to issue or receive the diplomas, documents and other information referred to in the Directive).

(6) The functions of the STA under or by virtue of this Order are without prejudice to the functions of the GMC or of any of its statutory committees under the Medical Act 1983(16).

Power of direction

4.—(1) The Secretary of State may give directions to the GMC and to the STA in connection with their functions under or by virtue of this Order, and it is the duty of the body to whom the directions are given to comply with them.

(2) Directions given under paragraph (1) may be as to matters of administration only.

Fees

5.—(1) Subject to the following paragraphs, the GMC and the STA may each charge such reasonable fees as it determines to cover the cost of providing services in the course of the performance of any of its functions under or by virtue of this Order.

(2) The GMC and the STA may each set those fees at levels such that (taken together) the fees also cover the cost of such of its overheads as are reasonably attributable to the performance of all of its functions under or by virtue of this Order; but the fees must not include any element of profit.

(3) The fee charged by the GMC or the STA for any particular service must not include more than a reasonable proportion of the total cost of its overheads referred to in paragraph (2).

(4) This article does not prevent the GMC, where it has power to do so, from setting any other fee which it has power to charge at a level designed to include costs referred to in this article; but any costs recovered that way cannot also be recovered by way of fees under this article.

PART III

SPECIALIST MEDICAL TRAINING

Certificates of completion of specialist training

6.—(1) Subject to paragraphs (2), (3) and (4), the STA shall award a CCST to any person who applies to the STA for that purpose (and pays any fee determined by the STA) if the STA is satisfied that he has satisfactorily completed specialist medical training, in the specialty stated in his application, approved by the STA pursuant to article 7.

(2) A CCST may be awarded only to a registered medical practitioner; and a CCST in oral and maxillo-facial surgery may be awarded only to a person who is also a registered dentist.

(3) A period of training common to specialist medical training in more than one specialty counts towards completion of the training required for each of them.

(4) The STA may award a CCST in a specialty listed in Schedule 2 only.

(5) A CCST shall state—

(a) the date on which it was awarded;

(b) the specialty in which it was awarded;

(c) the name of its holder; and

(d) his primary medical qualifications and where those qualifications were awarded;

and where more than one year of the training to which the CCST attests took place outside the EEA, the CCST shall make clear that this was so, and shall state the length (in aggregate) of such training.

(16) 1983 c. 43. See section 1(3) for the definition of “statutory committees”.

Minimum requirements of specialist medical training

7.—(1) The STA shall not approve specialist medical training intended to lead to the award of a CCST unless it complies with the requirements of this article; and the STA may withdraw any such approval if it is satisfied that the training no longer complies with those requirements.

(2) The training must constitute an entire course of training in the specialty in question and must, subject to paragraph (3)—

- (a) comprise theoretical and practical instruction;
- (b) be full-time training;
- (c) be supervised by the STA;
- (d) comply with the requirements of point 1 of Annex I to the Directive (which sets out the characteristics of the full-time training of specialists, and which is reproduced in Schedule 3);
- (e) be in a university centre, in a teaching hospital, or (where the STA is satisfied that it is appropriate) in a health establishment approved for this purpose by the STA;
- (f) involve the personal participation of the person training to be a specialist in the activity and in the responsibilities of the establishments concerned; and
- (g) be at least as long as the relevant period (if any) specified in Schedule 2.

(3) Part-time specialist medical training is permitted, under conditions approved by the STA, where training on a full-time basis would not be practicable for well-founded individual reasons, and accordingly the STA may approve part-time training which satisfies—

- (a) the conditions referred to above in this paragraph;
- (b) the conditions set out in sub-paragraphs (a), (c), (e) and (f) of paragraph (2); and
- (c) the following conditions—
 - (i) the standard of training must not be lower than that of full-time training,
 - (ii) the total length of training in the specialty in question must not be less than that of full-time training in the same specialty, and
 - (iii) the training must comply with the requirements of point 2 of Annex I to the Directive (which sets out the characteristics of the part-time training of specialists)(17).

(4) The curriculum and any other requirements relating to the training for each specialty, as they have effect from time to time, must be published.

PART IV

THE SPECIALIST REGISTER

The specialist register

8.—(1) The GMC shall keep and publish a register of specialists.

(2) Subject to paragraph (3), the register shall contain the names of—

- (a) persons who hold a CCST awarded by the STA; and
- (b) other eligible specialists as specified in article 9.

(17) Annex I to the Directive is set out in Schedule 3 to this Order.

(3) A person is entitled to have his name included in the specialist register if he applies to the Registrar of the GMC for the purpose (paying any fee determined by the GMC) and satisfies the Registrar—

- (a) of his entitlement by virtue of paragraph (2); and
 - (b) that he is a registered medical practitioner and, in the case of an oral and maxillo-facial surgeon, that he is also a registered dentist.
- (4) The specialist register shall indicate—
- (a) the specialty in respect of which each person's name is included in the register; and
 - (b) where the STA is satisfied that he has particular expertise in a field within that specialty and he so requests in his application under paragraph (3) or subsequently, the name or a description of that field.

(5) The GMC must tell anyone who asks it (and pays any fee determined by the GMC) whether or not a particular person's name is included in the register, and must do so in writing if required, stating the date on which that person's name was entered in the register, the information included pursuant to paragraph (4), and any registration number identifying the entry.

Eligible specialists

9.—(1) A person is an eligible specialist for the purposes of article 8(2)(b) if he holds a recognised specialist medical qualification (as specified in article 10) and is—

- (a) a national of an EEA State; or
 - (b) a person who for the purposes of access to and the practice of the medical profession is entitled to be treated in the same way as such a national in order to enable an enforceable Community right to be exercised.
- (2) A person is also an eligible specialist for the purposes of article 8(2)(b) if—
- (a) he does not fall within paragraph (1); but
 - (b) he has specialist medical qualifications awarded outside the United Kingdom in a specialty listed in Schedule 2,

and he satisfies the STA that those qualifications are equivalent to a CCST in the specialty in question.

- (3) A person is also an eligible specialist for the purposes of article 8(2)(b) if—
- (a) he has specialist qualifications awarded outside the United Kingdom in a medical specialty not listed in Schedule 2; or
 - (b) he has knowledge of or experience in any medical specialty derived from academic or research work,

and he satisfies the STA that these give him a level of knowledge and skill consistent with practice as a consultant in that specialty in the National Health Service.

(4) In the case of a person falling within paragraph (2) or (3) who is as described in subparagraph (a) or (b) of paragraph (1) and—

- (a) has specialist qualifications awarded outside the EEA which have been accepted by another EEA State as qualifying him to practise as a specialist in that State; or
- (b) has acquired specialist medical experience or knowledge in an EEA State,

the STA shall, when considering whether it is satisfied as mentioned in paragraph (2) or (3), take account of that acceptance and of that medical experience or knowledge.

Recognised specialist medical qualifications

10.—(1) The following are recognised specialist medical qualifications for the purposes of article 9(1)—

- (a) a qualification listed in article 5(2) of the Directive (which sets out the names of specialist qualifications in EEA States) granted in an EEA State other than the United Kingdom (these names are set out in Schedule 4) in—
 - (i) a specialty listed in article 5(3) of the Directive (specialties common to all EEA States⁽¹⁸⁾), or
 - (ii) a specialty listed in article 7(2) of the Directive (specialties peculiar to two or more EEA States) in which the United Kingdom is shown as awarding qualifications⁽¹⁹⁾;
- (b) a qualification in specialist medicine granted in an EEA State other than the United Kingdom which does not satisfy all the minimum training requirements laid down by the Directive and was awarded following training begun before the relevant date, accompanied by a certificate from the competent authority in the EEA State in which the qualification was awarded or in which its holder has subsequently become established, stating that the holder has been engaged in the practice of his specialty for at least the period required by article 9(2) of the Directive (qualifications not satisfying the minimum training requirements) for the recognition of his qualification in the United Kingdom;
- (c) a qualification in specialist medicine, in a specialty referred to in article 5(3) of the Directive or in a specialty referred to in article 7(2) of the Directive in which the United Kingdom is shown as awarding qualifications—
 - (i) which has been obtained at any time in an EEA State other than the United Kingdom,
 - (ii) which does not conform with the designations set out in article 5(2), 5(3) or 7(2) of the Directive (which together set out the specialist medical qualifications awarded in EEA States), and
 - (iii) evidence of which is accompanied by a certificate of the competent authorities of that State to the effect that the qualification was awarded following training in accordance with the provisions of articles 24, 25, 26 or 27 (as appropriate), and 29 of the Directive (which set out minimum standards of training for specialist medical qualifications) and is treated by that State as if it were a qualification set out under the heading relating to that State in article 5 or 7 of the Directive; and
- (d) subject to compliance with paragraph (2), any qualification which is evidence of training which does not accord with the standards laid down by articles 24 to 27 of the Directive, undertaken on the territory of the former German Democratic Republic and begun before 3rd April 1992.

(2) This paragraph is complied with where—

- (a) the holder of the qualification referred to in paragraph (1)(d) satisfies the GMC (by means of a certificate of the competent authorities in Germany or otherwise) that he is entitled by virtue of that qualification to practise his specialty throughout the territory of Germany on the same conditions as the holder of a qualification awarded in Germany and listed in article 5 or 7 of the Directive; and
- (b) evidence of the qualification is accompanied by a certificate of the competent authorities in Germany that the holder has practised his specialty in Germany for the period referred to in article 9(4) of the Directive (training in former German Democratic Republic).

(3) In paragraph (1)(b), “the relevant date” means—

⁽¹⁸⁾ These specialties are marked * in Part I of Schedule 2.

⁽¹⁹⁾ These specialties are those listed in Part I of Schedule 2 which are not marked *.

- (a) 1st January 1981, in the case of a qualification granted in Greece;
- (b) 1st January 1986, in the case of a qualification granted in Spain or Portugal;
- (c) 1st January 1994, in the case of a qualification granted in Austria, Finland, Iceland, Norway, or Sweden;
- (d) 1st May 1995, in the case of a qualification granted in Liechtenstein; or
- (e) 20th December 1976, in the case of all other EEA States.

Effect of inclusion in specialist register

11.—(1) Subject to paragraph (2), a person may not take up appointment to any post listed in Schedule 5 unless his name is included in the specialist register.

(2) This article does not apply to any person who held a post as a consultant in oral and maxillo-facial surgery in the National Health Service immediately before 1st January 1997.

PART V

TRANSITIONAL PROVISIONS

Existing specialists

12.—(1) A person is entitled to have his name included in the specialist register if he applies to the Registrar of the GMC for the purpose before 1st January 1998, or later if he satisfies the Registrar that there was good reason for not applying by then (paying any fee determined by the GMC) and satisfies him—

- (a) that he is a registered medical practitioner and, in the case of an oral and maxillo-facial surgeon, that he is also a registered dentist; and
- (b) that he falls within paragraph (2).

(2) A person falls within this paragraph if—

- (a) he is, or has been, a consultant in the National Health Service in a medical specialty other than general practice; or
- (b) he has been accredited in such a specialty; or
- (c) he has satisfied the STA that—
 - (i) he has been trained in the United Kingdom in such a specialty and that training complied with the requirements relating to training in that specialty current in the United Kingdom at the time he undertook it, or
 - (ii) he has qualifications awarded in the United Kingdom in such a specialty that are equivalent to a CCST in that specialty.

(3) In paragraph (2)(b), “accredited” refers to the former practice whereby certain medical Royal Colleges and Faculties acknowledged the satisfactory completion of a period of specialist training, to a level previously determined by that body, by granting an application for accreditation made by the person who had completed the training.

PART VI

MISCELLANEOUS

Appeals

13.—(1) The STA shall secure that—

- (a) a person to whom it refuses to award a CCST;
- (b) a person who fails to satisfy the STA that he is an eligible specialist in accordance with article 9(2) or (3); and
- (c) a person who fails to satisfy the STA of the matters referred to in article 8(4)(b) or 12(2)(c),

has the right to appeal against its decision to a panel of independent persons (in this article referred to as an “appeal panel”) which shall be convened by the STA as soon as practicable to reconsider the question and determine whether or not the appellant should be awarded a CCST or should so satisfy the STA (as the case may be).

(2) The STA shall determine and publish the procedure governing its selection of the members of appeal panels and the conduct of appeals.

(3) The STA shall secure that an appeal panel gives reasons for its determination.

Removal and suspension from specialist register

14.—(1) Where it comes to the notice of the Registrar of the GMC that a person (other than one to whom paragraph (4) applies) whose name is included in the specialist register no longer satisfies the requirements of article 8(3)(b) or 12(1)(a), the Registrar shall remove that person’s name from the specialist register and shall send him notice of having done so.

(2) Where it comes to the notice of the Registrar of the GMC that a person removed from the specialist register under paragraph (1) has become once again a person who satisfies the requirements of article 8(3)(b) or 12(1)(a), the Registrar shall once again include that person’s name in the specialist register and shall send him notice of having done so.

(3) Where the Registration Committee of the GMC(20) is satisfied that any entry in the specialist register has been fraudulently procured or incorrectly made it may direct that the entry shall be removed from the register; and Schedule 6 shall apply in relation to proceedings in any such case.

(4) Where it comes to the notice of the Registrar of the GMC—

- (a) that a person’s registration in the register of medical practitioners or the register of medical practitioners with limited registration (both kept under section 30 of the Medical Act 1983(21)) is suspended under any provision of that Act; or
- (b) in the case of an oral and maxillo-facial surgeon, that his registration in the register of dentists (kept under section 14 of the Dentists Act 1984(22)) is suspended under any provision of that Act,

the Registrar shall remove that person’s name from the specialist register and shall send him notice of having done so.

(5) Where it comes to the notice of the Registrar of the GMC that the registration (as referred to in paragraph (4)(a) or (b)) of a person whose name has been removed from the specialist register

(20) This committee is established by the GMC by virtue of paragraph 25 of Schedule 1 to the Medical Act 1983 (c. 54); *see*, in particular, Standing Orders 11 and 30—33 of Chapter VI of the GMC’s Standing Orders, June 1994. Functions concerning fraud or error in relation to registration under the Medical Act 1983 were conferred on the Registration Committee by rules approved by S.I. 1980/860, which have effect by virtue of paragraph 6 of Schedule 4 to that Act.

(21) 1983 c. 54.

(22) 1984 c. 24.

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under paragraph (4) is no longer subject to suspension, the Registrar shall once again include that person's name in the specialist register unless his name has been erased from the relevant register referred to in paragraph (4)(a) or (b), and shall send him notice of having done so.

(6) Paragraph 8 of Schedule 4 to the Medical Act 1983 (service of notifications of decisions) shall apply to notices required by this article, or by or by virtue of Schedule 6, to be sent to any person by the Registrar of the GMC as it applies to the notifications referred to in that paragraph.

Revocations and saving

15.—(1) The following Orders are revoked to the extent specified in the table.

Order	Extent of revocation
The Medical Qualifications (EEC Recognition) Order 1977 ⁽²³⁾	The whole Order.
The Medical, Nursing, Dental and Veterinary Qualifications (EEC Recognition) Order 1982 ⁽²⁴⁾	Article 2(2).
The Medical and Dental Qualifications (EEC Recognition—Spain and Portugal) Order 1986 ⁽²⁵⁾	Article 2(1).

(2) Subject to paragraph (3), the revocation of article 5(1) of the Medical Qualifications (EEC Recognition) Order 1977 does not prevent the GMC from awarding a certificate of specialist training to any person whose application for one had been received by the GMC before this Order came into force; and any such application may be dealt with as if paragraph (1) had not come into force.

(3) An application to which paragraph (2) refers must be dealt with before the end of the period of three months beginning with the date on which this Order comes into force.

N. H. Nicholls
Clerk of the Privy Council.

⁽²³⁾ S.I. 1977/827.

⁽²⁴⁾ S.I. 1982/1076.

⁽²⁵⁾ S.I. 1986/23.

SCHEDULE 1

Article 3.

THE SPECIALIST TRAINING AUTHORITY OF THE MEDICAL ROYAL COLLEGES

PART I

CONSTITUTION

1. The members of the STA shall be such individuals as are from time to time appointed by the Secretary of State (who shall appoint four individuals) and by the bodies listed in paragraph 2 (each of which shall appoint one individual, except the GMC which shall appoint two).

This paragraph is subject to paragraph 4.

2. The bodies referred to in paragraph 1 are—

Faculty of Occupational Medicine

Faculty of Public Health Medicine

GMC

Royal College of Anaesthetists

Royal College of General Practitioners

Royal College of Obstetricians and Gynaecologists

Royal College of Ophthalmologists

Royal College of Pathologists

Royal College of Physicians and Surgeons of Glasgow

Royal College of Physicians of Edinburgh

Royal College of Physicians of London

Royal College of Psychiatrists

Royal College of Radiologists

Royal College of Surgeons of Edinburgh

Royal College of Surgeons of England

3. Of the four individuals appointed by the Secretary of State, two must be postgraduate medical deans and the other two must not be registered medical practitioners, and the Secretary of State must terminate the membership of any of those individuals who ceases to satisfy the criterion applicable in his case.

4. If any body listed in paragraph 2 fails to make an appointment before the end of the period of three months beginning with the day on which the vacancy arose, the Secretary of State may determine that until such time as the body failing to make the appointment does so, the membership of the STA shall not include an individual appointed by that body; and until that time the list in paragraph 2 shall have effect as if the name of that body were omitted.

PART II

SPECIFIED BODY

5. The body designated as the STA by article 3(3) is—

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The company limited by guarantee registered in England under number 3136396 whose name is “The Specialist Training Authority of the Medical Royal Colleges”.

SCHEDULE 2

Articles 6, 7, 9 and 10.

MEDICAL SPECIALTIES

PART I

SPECIALTIES WITH MINIMUM TRAINING PERIODS

Five years

- General medicine*
- General surgery*
- Neurological surgery* (*also known as neurosurgery*)
- Orthopaedic surgery* (*also known as trauma and orthopaedic surgery*)
- Paediatric surgery
- Plastic surgery
- Thoracic surgery (*also known as cardio-thoracic surgery*)
- Urology*

Four years

- Cardio-vascular disease (*also known as cardiology*)
- Chemical pathology
- Child and adolescent psychiatry
- Clinical pharmacology and therapeutics
- Communicable diseases (*also known as infectious diseases*)
- Community medicine (*also known as public health medicine*)
- Dermatology
- Diagnostic radiology (*also known as radiology*)
- Gastro-enterology
- Geriatrics
- Immunology (*also known as immunopathology*)
- Medical microbiology (*also known as medical microbiology and virology*)
- Morbid anatomy and histopathology (*also known as histopathology*)
- Neurology*
- Nuclear medicine
- Obstetrics and gynaecology*
- Occupational medicine
- Oral and maxillo-facial surgery (basic medical and dental training)
- Paediatrics*
- Psychiatry* (*also known as mental illness*)

Radiotherapy (*also known as clinical oncology*)
Renal disease (*also known as nephrology*)
Respiratory medicine* (*also known as thoracic medicine*)
Rheumatology
Tropical medicine
Venereology (*also known as genito-urinary medicine*)

Three years

Anaesthetics*
Endocrinology and diabetes mellitus
Haematology
Ophthalmology*
Otolaryngology*

Note: The specialties marked * above are those listed in article 5(3) of the Directive (specialties common to all EEA States). The others are those listed in article 7(2) of the Directive (specialties peculiar to two or more EEA States) in which the United Kingdom is shown as awarding qualifications.

PART II

OTHER SPECIALTIES

Accident and emergency medicine
Audiological medicine
Clinical cytogenetics and molecular genetics
Clinical genetics
Clinical neurophysiology
Forensic psychiatry
Medical oncology
Medical ophthalmology
Mental handicap
Old age psychiatry
Paediatric cardiology
Palliative medicine
Psychotherapy
Rehabilitation medicine

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SCHEDULE 3

Article 7.

TEXT OF ANNEX I TO THE DIRECTIVE

“Characteristics of the full-time and part-time training of specialists as referred to in Articles 24(1)(c) and 25

Full-time training of specialists

1. Such training shall be carried out in specific posts recognized by the competent authority.

It shall involve participation in all the medical activities of the department where the training is carried out, including on-call duties, so that the trainee specialist devotes to this practical and theoretical training all his professional activity throughout the duration of the standard working week and throughout the year according to provisions agreed by the competent authorities. Accordingly these posts shall be subject to appropriate remuneration.

Training may be interrupted for reasons such as military service, secondment, pregnancy or sickness. The total duration of the training shall not be reduced by reason of any interruption.

Part-time training of specialists

2. This training shall meet the same requirements as full-time training, from which it shall differ only in the possibility of limiting participation in medical activities to a period at least half of that provided for in the second paragraph of point 1.

The competent authorities shall ensure that the total duration and quality of part-time training of specialists are not less than those of full-time trainees.

Appropriate remuneration shall consequently be attached to such part-time training.”

SCHEDULE 4

Article 10.

SPECIALIST MEDICAL QUALIFICATIONS AWARDED IN EEA STATES OTHER THAN THE UNITED KINGDOM

Austria

“Facharztdiplom” (diploma of medical specialist) issued by the competent authority.

Belgium

“Titre d'agrégation en qualité de médecin spécialiste/erkenningstitel van geneesheer specialist” (formal evidence of having qualified as a medical specialist) issued by the Minister responsible for public health.

Denmark

“Bevis for tilladelse til at betegne sig som speciallæge” (certificate concerning the title of specialist) issued by the competent authorities of the health service.

Finland

“Todistus erikoislääkärin tutkinnosta/betyg över specialläkarexamen” (certificate of the degree of specialist in medicine) issued by the competent authorities.

France

- “Certificat d'études spéciales de médecine” (certificate of specialized studies in medicine) issued by a university faculty of medicine, university joint faculties of medicine and pharmacy or by universities,
- Certificates of qualified medical specialist, drawn up by the Council of the Ordre des médecins,
- “Certificat d'études spéciales de médecine” (certificate of specialized studies in medicine) issued by a university faculty of medicine, university joint faculties of medicine and pharmacy or equivalent certificates drawn up under a decree of the Minister for Education,
- “Diplôme d'études spécialisées de médecine délivré par les universités” (diploma of specialized studies in medicine awarded by a university).

Germany

“Fachärztliche Anerkennung” (recognized certificate of medical specialist) issued by the “Landesärztekammer” (Chambers of Physicians of the *Land* concerned).

Greece

“Τίτλος Ιατρικής Ειδικότητας” (certificate of medical specialization) awarded by the “Νομαρχίες” (prefectures).

Iceland

“Sérfræðileyfi” (certificate of specialist in medicine) issued by the Ministry of Health.

Ireland

Certificate of specialist doctor issued by the competent authority recognized for this purpose by the Minister of Health.

Italy

“Diploma di medico specialista, rilasciati dal rettore di una università” (diploma of specialized doctor, granted by a rector of a university).

Liechtenstein

The diplomas, certificates and other titles awarded in another State to which the Directive applies and listed in article 5(2) of the Directive, accompanied by a certificate on the completed practical training issued by the competent authorities⁽²⁶⁾.

(26) This entry in this Schedule has been adapted for use here by substituting “the Directive” for “this Directive” in the original, and similarly “article 5(2) of the Directive” for “the present article”. The original entry is to be found in OJ No. L 1, 3.1.1994, p. 373.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Luxembourg

“Certificat de médecin spécialiste” (certificate of specialist doctor) issued by the Minister for Public Health on the advice of the medical college.

The Netherlands

- “Getuigschrift van erkenning en inschrijving in het Specialistenregister” (certificate of recognition and registration in the Register of Specialists, issued by the “Specialisten-Registratiecommissie (SRC)” (Commission for the Registration of Specialists (CRS)),
- “Getuigschrift van erkenning en inschrijving in het Register von Sociaal-Geneskundigen” (certificate of approval and registration issued by the “Sociaal-Geneskundigen Registratie-Commissie (SGRC)” (Board of Registration of Doctors of Social Medicine)).

Norway

“Bevis for tillatelse til å benytte spesialisttittelen” (certificate of the right to use the title of specialist) issued by the competent authorities.

Portugal

“Grau de Assistente” (assistant grade), awarded by the competent authorities of the Ministry of Health, or “Título de Especialista” (professional qualification of specialist) awarded by the professional association for medical practitioners.

Spain

“Título de Especialista” (professional qualification of specialist) awarded by the Ministry of Education and Science.

Sweden

“Bevis om specialistkompetens som läkare utfärdat av Socialstyrelsen” (certificate of the right to use the title of specialist) issued by the National Board of Health and Welfare.

SCHEDULE 5

Article 11.

POSTS OPEN ONLY TO THOSE INCLUDED IN SPECIALIST REGISTER

Consultant in the National Health Service in a medical specialty other than general practice, or any more specialised field within such a specialty.

SCHEDULE 6

Article 14(3).

REMOVAL FROM SPECIALIST REGISTER OF ENTRIES FRAUDULENTLY PROCURED OR INCORRECTLY MADE

1. Rules 4 to 24 of, and the Schedule to, the General Medical Council (Fraud or Error in relation to Registration) Rules 1980(27), as they have effect on the date this Order is made, shall apply in

(27) Approved by S.I. 1980/860.

relation to entries in the specialist register as they apply in relation to entries in the register of medical practitioners and the register of medical practitioners with limited registration, but as if in rule 11(3) the reference to “these rules” included a reference to this Order.

2. Where the Registration Committee directs under article 14(3) that a person’s name be removed from the specialist register, the Registrar of the GMC shall without delay serve on that person notice of the direction and of his right to appeal against the direction by virtue of this Schedule.

3. Section 40 of the Medical Act 1983(28) shall have effect in relation to directions of the Registration Committee under article 14(3) as it has effect in relation to decisions of the GMC under section 39 of that Act; and in particular—

- (a) subsections (6) and (11) of that section shall have effect as if they included a reference to the Registration Committee as well as to the other committees mentioned there; and
- (b) subsection (8)(c) shall have effect as if the references to the General Council were to the Registration Committee, and the reference to section 39 were to article 14(3).

EXPLANATORY NOTE

This note is not part of the Order

This Order makes new provision about training for specialist medical qualifications, and the recognition in the United Kingdom of specialist medical qualifications awarded elsewhere. The Order implements European obligations relating to the training of specialist doctors and mutual recognition of their qualifications.

These obligations are contained principally in Titles II and III of Council Directive [93/16/EEC](#) (OJNo. L 165, 7.7.1993, p.1) (the “Medical Directive”), which consolidated earlier Directives. This Directive and other European obligations must now be read with the European Economic Area Agreement (defined in article 2(2) of this Order). This Order also refers to rights arising under Regulation [\(EEC\) No 1612/68](#) ([1968] OJ Special Edition 475) as amended by Regulation [\(EEC\) No. 312/76](#) (OJ No. L 39, 14.2.1976, p.2), and Articles 48, 52 and 59 of the Treaty of Rome (as amended), which affect the pursuit of their profession not only by nationals of member states of the European Economic Area (“EEA”) but also by their spouses and certain of their dependents.

Part I of the Order provides for the coming into force of the Order on 12th January 1996 (except for article 11 and Schedule 5, which come into force on 1st January 1997) and for the interpretation of certain terms.

Part II designates two competent authorities for the United Kingdom in relation to specialist medical qualifications. The General Medical Council (“GMC”), which is the supervisory body for the medical profession by virtue of the Medical Act 1983, is designated for the purposes of registration and recognition of specialist medical qualifications, and a new body called “the Specialist Training Authority of the medical Royal Colleges” or “STA” is designated for purposes relating to training for those qualifications in the United Kingdom.

Part III provides for the issue by the STA of Certificates of Completion of Specialist Training “CCST”s to those who complete approved specialist training, and provides also (in article 7) for the conditions which training must satisfy before it can be approved for this purpose.

(28) [1983 c. 54.](#)

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Part IV provides for the GMC to establish and publish a register of specialists, including not only those who have been awarded a CCST, but also European doctors with specialist qualifications awarded elsewhere in the EEA, whose qualifications are entitled to automatic recognition, and doctors with qualifications from other countries, which will be assessed by the STA before being recognised. From 1st January 1997 it will be a condition of taking up employment as a consultant in the National Health Service that the doctor appointed be included in the specialist register.

Part V provides for doctors who are already consultants, and also certain other categories of doctor, to be included in the specialist register provided they apply before 1st January 1998 (or in some circumstances later).

Part VI requires the STA to set up an appeal mechanism against its decisions; provides for removal and suspension from the specialist register; and revokes certain superseded earlier provisions on the same subject, while providing for applications for certificates of specialist training already submitted to the GMC before 12th January 1996 to be processed within 3 months.

Schedule 1 provides for the constitution of the STA; Schedule 2 lists the specialties in which CCSTs may be issued (together with their minimum training periods, if any); Schedule 3 reproduces Annex I to the Medical Directive, which sets out the characteristics of specialist training; Schedule 4 lists the certificates of specialist training awarded elsewhere in the EEA; Schedule 5 lists the posts open only to those included in the specialist register (namely that of consultant in the National Health Service in a specialty other than general practice); and Schedule 6 makes detailed provision about removal from the specialist register of entries included by mistake or as a result of fraud.