

---

STATUTORY INSTRUMENTS

---

**1997 No. 2817**

**The National Health Service (Vocational Training  
for General Medical Practice) Regulations 1997**

**PART I  
GENERAL**

**Exemptions**

- 5.—(1) A practitioner shall be exempt from the need to have acquired the prescribed experience—
- (a) if on 15th February 1981 his name was included in a medical list;
  - (b) if on 15th February 1981 an application pursuant to section 30 of the Act had not been finally determined, but in consequence of its final determination his name was later included in a medical list<sup>(1)</sup>;
  - (c) if his name was included in a medical list by virtue of his having made an application within nine years after 15th February 1981 in a case where his name was not included in such a list on 15th February 1981, but had been so included before that day;
  - (d) in respect of an application for his name to be included in a medical list for the provision of general medical services limited to—
    - (i) child health surveillance services only;
    - (ii) contraceptive services only;
    - (iii) maternity medical services only;
    - (iv) minor surgery services only; or
    - (v) any combination of the services mentioned in paragraphs (i) to (iv);but only if the applicant's name was included in a medical list on 31st December 1994 for the provision of general medical services limited in a way which included those specified in the application;
  - (e) if he holds a certificate of prescribed experience or a certificate of equivalent experience issued under or by virtue of regulations made under section 22 of the National Health Service (Scotland) Act 1978<sup>(2)</sup> or Article 8 of the Health and Personal Social Services (Northern Ireland) Order 1978<sup>(3)</sup>, or is, by virtue of those regulations, or that Order, exempt from the need to have acquired the medical experience prescribed by those regulations, or that Order;
  - (f) if he—

---

<sup>(1)</sup> See S.I. 1979/1664, regulation 3(2).

<sup>(2)</sup> 1978 c. 29.

<sup>(3)</sup> S.I. 1978/1907 (N.I. 26).

- (i) is entitled to be registered under section 3 of the Medical Act 1983<sup>(4)</sup> as a fully registered medical practitioner by virtue of subsection (1)(b) or (2) of that section, and
- (ii) was established in the United Kingdom on 31st December 1994 by virtue of the primary European qualification<sup>(5)</sup> giving rise to that entitlement; or
- (g) if he holds a vocational training certificate or a certificate of acquired rights issued in an EEA State other than the United Kingdom which must in his case be recognised in the United Kingdom by virtue of the Medical Directive (whether or not as read with the EEA Agreement) or by virtue of any enforceable Community right.

(2) In this regulation—

“certificate of acquired rights” means a certificate issued under article 36(4) of the Medical Directive, to the effect that its holder has an acquired right to practise as a general medical practitioner under the national social security scheme of the issuing State without a vocational training certificate<sup>(6)</sup>;

“child health surveillance services”, “maternity medical services” and “minor surgery services” have the meanings assigned by regulation 2(1) of the National Health Service (General Medical Services) Regulations 1992<sup>(7)</sup>;

“contraceptive services” has the meaning assigned by regulation 3(1)(c) of those Regulations;

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

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

“vocational training certificate” means a diploma, certificate or other evidence of formal qualifications awarded on completion of a course of specific training in general medical practice and referred to in article 30 of the Medical Directive.

---

<sup>(4)</sup> 1983 c. 54. Section 3 was substituted by S.I. 1996/1591, regulation 3.

<sup>(5)</sup> See section 17 of the Medical Act 1983, substituted by S.I. 1996/1591, regulation 4.

<sup>(6)</sup> See, for the issue of certificates of acquired rights by the Joint Committee, S.I. 1994/3130, regulation 5(3).

<sup>(7)</sup> S.I. 1992/635, to which there have been amendments not relevant to this provision.

<sup>(8)</sup> Cm. 2183 and OJNo. L 1, 3.1.1994, p.572.